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VITAL POINTS

IN THE

METHODIST EPISCOPAL CHURCH

BY

THE REVEREND BISHOP

THOMAS BENJAMIN NEELY, D.D., LL.D.

Author of

"Doctrinal Standards of Methodism," "The Methodist Episcopal Church and Its Foreign Missions," "American Methodism: Its Divisions and Unification," etc., etc.

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TO

THE MEMORY OF

MY LONG-TIME FRIENDS

THE REV. SAMUEL A. HEILNER, D.D.

AND

THE REV. WILLIAM L. McDOWELL, D.D.

OF

PHILADELPHIA

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PREFACE

The practical system of the Methodist Episcopal Church has stood the severest tests for many years, and the general testimony has been that it was not found wanting, and leaders in other great denominations have pronounced it the best ecclesiastical system in the world.

Such an ecclesiastical mechanism cannot be constructed in a day, but it may be marred in an hour by hasty legislation. The propensity for change is a constant peril, and the Church must ever be on the defensive against the iconoclast who finds his chief pleasure in breaking to pieces the good that has endured until he came upon the stage of action.

If changes are to come the amendments should be framed so as to harmonize with the system as it is and not destroy its symmetry, and every proposition should prove its absolute necessity before it is accepted. All others should be promptly rejected.

Like all living bodies, an ecclesiastical system contains vital parts that require special comprehension and protection. The most important of these vital parts in the Methodist Episcopal system we mention.

In leading up to them the first chapter treats of some governmental principles that must be kept in mind, while the second chapter presents a brief view of existing conditions in the Church, some of which should be eradicated and that without delay. Then follows a chapter on The Methodist Episcopal Church, showing something of its essential nature.

With these in mind one is prepared to consider certain very vital matters: First, a study of the Episcopacy of the Methodist Episcopal Church; second, its General Conference, and, third, its Presiding Eldership. This embraces a very careful restudy of these vital points in the Methodist Episcopal Church, which goes back to original sources and down through the history to the present time.

The intention is to help those who desire a thorough knowledge of these most important matters. All have an immediate application to the interests of the Church, and have a value for all classes.

THOMAS B. NEELY.

Philadelphia, Pa.,
April 17, 1924.

CHAPTER I

GOVERNMENTAL PRINCIPLES

Every continued combination of human beings requires some common understanding on the part of the individuals in the association, and this common understanding is needed to give the association unity and to hold the individuals together for their mutual protection and for the prosecution of their common purpose.

This common understanding, or agreement, for the existence and the promotion of the aims of the group or organization, whatever form the human association may take, for it may assume various forms and have varied expressions, there will in all be the common purpose of self-preservation and the common welfare.

This common understanding may vary in its simplicity, or complexity, according to the conditions and environments of the people. Thus, where it is simply the family or the tribe, with a recognized head or chief, the understandings or agreements may be exceedingly simple, but, where it is a large body of people, who have had considerable development or culture what may be called the common understanding is likely to be elaborate and possibly intricate.

Where the government is paternal or tribal, the common understanding may be mainly, or merely, submission to the will of the head of the family

or the chief of the tribe, but even then there will be found settled understandings that have come down from past experience and former times, and, where the combination is larger, and more widely spread, there will of necessity be more detail and more formality.

In this common understanding there is a formal or tacit agreement as to what the individuals may do, must do, or must not do, and how the individual and the mass, or particular individuals may or must act under given circumstances.

These understandings or regulations are laws that are to be obeyed, which may be oral and passed down by word of mouth, or which in some form may be written and so preserved for reference, and these laws are according to the will of the governing power, whatever that power may be.

Back of these laws or regulations, which, in the course of time, may grow or be changed, are certain general understandings, which are specially respected in making new laws, and in carrying on the affairs of the human association, whatever it may be, and these fundamental understandings, which are in the background, or at the base, so to speak, may be in the memory, or may be reduced to visible expression.

These specially respected understandings, more or less formulated, may be called a constitution, for they constitute the body and determine the government, and the constitution contains the general principles which show how the government is to be carried on.

So human governments have their constitutions, and their laws presumed to be based thereon, and

by them states, nations and empires are held together, and the individuals and masses have mutual security, comfort and prosperity, and if questions arise as to what the body may do legitimately, the questions are settled by an appeal to the constitution, the principles of which determine what may or must be done, and how it should be done. This makes a constitutional government.

The Church, like all human organizations, needs these understandings and regulations, and for the same reasons, and an ecclesiastical association needs them just as much as a secular or national body, for it is made up of similar human beings who need to know what they may do, and how it should be done. That the ecclesiastical body has a religious purpose does not change the facts that human nature is essentially the same, and, like other organizations of human beings, the Church needs formulated law and a constitution as a chart for its guidance.

Hence, just as the Nation has its Constitution and its laws, based upon the Constitution of the United States of America, the Methodist Episcopal Church has its principles of organization in its Constitution, and its statute laws in harmony with that Constitution.

The Methodist Episcopal Church has had experiences in its origin and development similar to other organisms. From small beginnings there has been a great growth, and, like other forms of life, it connected with something that preceded it, and it has reproduced much that went before, just as present life in the world is a succession from former life and repeats what had preceded it.

Organic life begins in the seed, the egg, the cell. In that seed or cell is the mysterious life force, in which is the potentiality of growth and mature development.

Taking plant life as a suggestive illustration, there is in the seed the germ which is the prophecy of the future tree. Planted in the right soil and under the right conditions, the seed germinates, sending its roots downward out of sight, and its stalk upward where it may be seen, and in all its development it possesses and is directed and molded by the original life in the germ, and it never severs itself from that original life until it begins to decay and die.

While the fruit bearing is above and in sight, the permanence and vitality of the tree depend on the roots below the surface, and there they perform their functions though they may be unseen.

The same principles apply to human institutions. In governmental organisms there is the seed principle at the beginning. From this the organization grows, and, if it is not interfered with, or perverted, there will be a development in harmony with that primal principle, and the organism will never get away from its dependence on its roots. As with the tree, so with the Nation, and so with an ecclesiasticism, and for a Church to be cut away from its roots means death.

American Methodism had its roots in British Wesleyanism. In England, and in the British Islands, generally, Wesleyanism had its beginnings and its early development, and the germ from which the Wesleyan organism had its start and form was the Reverend John Wesley, who, though a regu-

larly ordained presbyter of the Church of England, acted independently of that Established Church, in the planning and conduct of his religious society, which, beginning in 1739 in the city of London, with a single society, but, adding society to society in many places, speedily became what was known as "The United Society."

The head of this "United Society" was the Reverend John Wesley, who did not arrogate to himself this headship, but was so indicated by force of circumstances, and was chosen by the Society, first, directly, by its request that he should so act, and then by the voluntary action of the individuals who joined the societies, thus personally adhering to the organization as it was under the leadership of Wesley, and that was equivalent to a vote cast for Wesley by each new individual.

To this great work, John Wesley, with his learning, his executive skill and his evangelical piety, devoted his long life, and around him the organization took its form, and for more than a half century, or exactly fifty-two years, had its marvelous development and became a great ecclesiasticism.

In all this was the outline of the future Methodism which naturally grew out of these seed principles, and this early form was the experimental beginnings of the new ecclesiasticism which was to extend into many parts of the world.

Wesleyan Methodism found its way across the Atlantic Ocean to America and soon the essentials of Wesley's system were duplicated in the English colonies, and America along the western shores of the Atlantic had the same kind of preaching, the same doctrines, the same kind of organization and

the same kind of conference that the United Society in the Mother Country possessed. Thus the Methodist Episcopal Church came out of these roots, and, to understand many things that are found in this Church, we need only go back to Wesley and his organization in Great Britain.

While the roots were the same and even the essentials in polity were the same, American Methodism grew up in another land, under another form of free government, and the new environment in the new and distant country and the new political atmosphere, with the necessity of meeting these changed conditions and the new needs in the new world, American Methodism differentiated from the early British type, but nevertheless remains in many essentials a reproduction, or reduplication of Wesley's polity, so that as we study one we may see the other.

The Methodist Episcopal Church, as in other things, has a system of laws that springs from the past, and a little examination will show that even its jurisprudence runs back to Wesley, and to know its laws with any degree of thoroughness one must know the history from the beginning across the Atlantic.

Wesley himself had had an effective system, at first quite simple but gradually growing with the developing conditions. This was brought to America by the early members, and, especially, the first missionaries sent by Wesley, so that the American branch, from the very beginning, was administered after the method of Wesley, and long before the American Church made what has been called the first written Constitution, it had a body of law

much of which was printed in the Minutes of the British Conference, and, especially, in the combination of Minutes of several years called the General Minutes. Then the Americans added other regulations from time to time and the organizing Conference in 1784, taking the English Minutes as a basis, produced their own Minutes, as the title says, "composing a Form of Discipline for the ministers, preachers and other members of the Methodist Episcopal Church in America," and, in 1786, the title of the Book of Discipline said: "The General Minutes of the Conferences of the Methodist Episcopal Church in America forming the Constitution of the said Church."

As a matter of fact they had constitutional principles that guided them, and had a "Constitution" before, in later years they framed and adopted a formal document which has been called "the first written Constitution."

That was in 1808, when the then sovereign General Conference constructed and agreed upon the written Constitution. Some seem to speak of the Constitution of the Church, having in their mind the Constitution of 1808, as an ancient or even antiquated instrument. But a Constitution of a great and venerable organization, like a nation, or a Church, is not old when it has lasted a century, and it is only one hundred and sixteen years since 1808. But those who talk that way seem to forget that the Constitution of the Methodist Episcopal Church is very modern, for the older Constitution was revised in 1900 and that revision was immediately adopted by the Church.

The Methodist Episcopal Church, therefore, has

a modern constitutional government which protects the essential rights of the Church and those connected with it, and prevents those rights being swept away in a reckless moment.

The Methodist Episcopal Church has a background of great achievement. As an ecclesiastical government it is an embodiment of practical principles which has stood the test of varied experience. It has an invaluable past. The past is not dead. It is a firm foundation and a mighty bulwark against possible trials. It may be said that we cannot live in the past, but we can feel its impulse and inspiration and make the vital past relive in the living present. We are to "hold fast to that which is good."

CHAPTER II

EXISTING CONDITIONS

When an organization has a sound constitution and judicious laws, the foundation of an orderly and wholesome existence has been laid, but that is not a sufficient guarantee of a successful existence.

It is necessary that those who are in the organization shall know and understand the constitution and the laws, for ignorance as to the constitutional principles and the laws in harmony therewith makes a condition equivalent to the non-existence of the constitution and the laws, for the people act as though they did not exist. It is, therefore, a primary necessity that all shall know the constitution and the nature of their government, as well as the specific regulations enacted from time to time.

Then when the constitution and laws are known and comprehended there must be respect for those legal provisions, and a disposition to obey them, for without the will toward obedience, there may be a practical and actual nullification of the constitution and law, and the organization may receive no benefit from them, and possibly be in a worse state than if they never had been made.

To make the constitution and the law of real value their requirements should be insisted upon and their commands carried out, for law unexecuted is the equivalent of no law, and no law or law generally disobeyed means anarchy, and anarchy means disorder which is destructive of the organization itself.

In addition to these requisites a degree of general intelligence is required and especially where the government is by the people.

Applying these principles to the Methodist Episcopal Church, we should inquire as to whether it fully possesses the requisites for giving effect to a wise Constitution and good laws, and this inquiry is important, for, while the Constitution and the laws show what should be done and how things should be done, they can not enforce themselves or put their principles into action without the co-operation of the very persons who are presumed to be governed by them.

This leads to an investigation to find if there are any defective conditions, but such a search does not prove that everything is defective even if we do discover some defects. Nevertheless, if there are serious defects it is important that they be pointed out in order that they may be corrected.

Among the first of the defects is a lack of knowledge of the Church itself—of its origin, its organization, its wonderful history from the beginning, its doctrinal teachings, its polity, and its practical methods. Too many know little or nothing of these things, and it may be asked: How can persons so defective wisely and safely administer the affairs of a great Church?

Indeed, one of the most dangerous conditions in the Methodist Episcopal Church today is that, to a great extent, it has forgotten its past, and few know its history, its doctrines and polity with any thoroughness.

Of late there has been a great diminution of knowledge as to its Constitution and its laws, and

of their history, which is so important in their interpretation.

The lack of this kind of knowledge is detrimental in all departments of the Church, from the local organization up to its highest legislative and executive body, and from the individual to the general membership, so that such individual and general lack of knowledge leads to mistaken action and even to injustice to individuals and widespread injury to the entire Church. We may try to excuse or condone such conditions, but, with all our attempted charity, we must remember the old maxim: *Ignorantia legum néminem excusat; omnes enim præsumuntur eas nosse quibus omnes consentiant,*—Ignorance of the law excuses no one; for all are presumed to know those things to which all consent.

It is a sad admission to make, but when an examination is made as to denominational knowledge, one must confess that, speaking in a general sense, the Church generally does not know itself. The Church generally has no adequate knowledge of its own history and its own system of government, and this lack of general historic knowledge has had an ill effect on the Church in many ways.

Among other things it affects the tone of the Church and so endangers the old *esprit de corps* which had so much to do with the success of former days.

Even editors of Church publications, who are supposed to be depositories of accurate knowledge, now and then expose themselves when they tell their readers what is historically not so, or what is not legally so. Instances might be given. Some,

for example, especially during the discussion of unification, have called the Methodist Episcopal Church, the Church North, when they should have known that it never was the Church North, and in all of its history it has never been out of the South. A child, raised in our Sunday Schools anywhere ought to know better than that.

So, within a short time an editor of one of our Church papers undertook to enlighten his readers on an important issue by telling them the history and the law bearing on the subject, but his statement contained a number of vital errors both as to history and law. However, we do not mean to assert that all the editors are of this kind.

It is even suspected that some who have been sent to the General Conference have not been thoroughly versed in the history of the Church and have not even mastered that little work called the Book of Discipline.

In the last General Conference which Doctor James M. Buckley attended, which was in 1916, at Saratoga Springs, New York, noticing that he was seated by himself, and was receiving no attention at that moment, I went over and talked to him. Then the Conference engaged in a discussion, and suddenly, Doctor Buckley broke off the conversation, and pointing his finger down toward the Conference on the floor, while the debate was going on, he said: "They don't know what they are talking about." It will at least be admitted that Doctor Buckley knew Methodism.

Sometimes individuals in the Church have no respect for the history, the law, or the doctrines of the denomination. This is not merely bad taste, and an impropriety, but is a form of lawlessness.

In the Nation respect for the Constitution of the country and obedience to its laws are expected and required. The same is necessary in ecclesiastical bodies, and obedience should be even more common and more sacred than in the State. In particular this is required in and by the Methodist Episcopal Church in the United States of America.

In the secular government speaking against the government in an unfriendly manner is regarded as disloyalty to the State, and in the United States, disobedience to its Constitution or antagonism thereto may be regarded as treason, and severe penalty may be inflicted.

In these blessed times and in this happy land an ecclesiastical organization can not inflict bodily punishment or levy on the estate of an offender, neither can it turn him over to the tender mercies of a bigoted and cruel State to do such merciless work for it; but, nevertheless, the Church has a right to demand that its Constitution shall be respected and its laws obeyed by its ministers and members, and the Churches do so insist.

It is necessary that there should be such an expectation and demand. Without it there could be no certainty of order in the body, and no reliability in its permanence. There is no injustice in this for Church membership is voluntary, and the member may relieve himself of his obligation by withdrawing, but, while he remains in the membership, he voluntarily continues his obligation. For the same reasons the Church can release itself from the disobedient member by excluding him from the Church. Thus is it in the Methodist Episcopal Church.

This respect for, and obedience to, the laws of the Church is not a matter of compulsion, physical or otherwise in the Church, but a matter of honor, for membership carries with it obligations which are voluntarily assumed, and a constitution is of the nature of a binding contract by which the parties concerned have bound themselves, so that conformity thereto is a matter of sacred honor and of common honesty. A minister or member is not compelled to endure the obligation, and, if he can not, or will not, obey the laws, he can find an honorable way out where he may have liberty from some restraints but may discover others which are just as bad.

In all righteous governments, those in them, whether rulers or the ruled, are expected to be controlled by the law. They are presumed simply to ask what is the law, and to be governed by the law simply because it is the law, so that the individual determines his actions by ought and ought not, without regard to physical or military force, or by popular clamor, or the coercion of self-interest, and this should emphatically be the case in the Christian Church.

Respect for law is part of fundamental righteousness and moral uprightness, and is characteristic of reliable people. It has long been a recognized trait in the Anglo-Saxon stock, both British and American. Indeed it is an element in high civilization, and is a matter of course to be expected in a sound moral and religious character, and particularly in a Christian Church.

The antagonism to the Constitution of the Church shows itself in various ways. Thus, when

the Constitution is cited against a project, the friends of the movement try to break the force of the citation in some way, as for example that it is straining the law to use it against such a needed project as that proposed; that it is forcing the letter of the law whereas it is the spirit of the law that should be considered; that it is too legalistic to quote the Constitution against such a desirable thing as that which they desire, and, anyhow, the Constitution is too ancient a document to be cited in this progressive age.

But a constitution or a law can not be neutralized or ignored by such false statements. It might as well be said that one can stress the plain requirements of the Ten Commandments too much because the Commandments are so ancient, or that to cite the Constitution of the United States against a flagrant violation is stressing the legal side too much because the Constitution is over a century old. It is a mere evasion to say that one stresses the letter of the law too much when he cites the exact wording of the Constitution or a law. The Constitution and the law are in an exact wording that they may be consulted, and by that letter they may tell what they may mean, and the words of the law express the spirit of the law.

The objection to the exact wording of the Constitution, and its use to determine a violation, is not a sound argument, but a fallacious statement, to break the force of the citation from the Constitution, and an effort to discount and destroy the Constitution itself. It is a trick and unworthy any self-respecting and honest man, and one who resorts to such a trick to carry his point or to de-

ceive an innocent-minded person discounts himself.

The letter of the Constitution is the Constitution, and the letter is to tell what the Constitution says and means, and, therefore, should be cited, and, when cited, should be respected. Further, the present Constitution of the Methodist Episcopal Church is not an antiquated or obsolete document, but a very modern instruument which was formulated in the year nineteen hundred, *Anno Domini.*

There appears to be a growing indifference and even positive opposition to the law, and, especially, the Constitution of the Church, whereas in former days it was enough to ascertain what the law said, and obedience immediately followed. Now, however, there is a considerable element that regards the law as a trifling matter that must not be permitted to restrain them for a single moment. More than that, with some, strange to say, there seems to be an absolute contempt for the Constitution of the Church, and all law, so that even persons in position to know the law openly flout the Constitution and the laws in the Book of Discipline when these stand in the way of what they want.

Of this recent illustrations are easily found. Thus in a Church paper a writer practically teaches that the Church should not be bound by its own laws, when he says: "But the Church of the Living God can not be a stickler for legalisms. The Divine Head of the Church left the door of truth open to His disciples for the leading of the Spirit. That door must be kept open."

This may seem to smack a little of some sort of transcendentalism, but its plain meaning is shown

in its connection. The writer was discussing the question as to whether the law of the Church should be obeyed, and his answer is that "the Church of the Living God can not be a strickler for legalisms," the force of which is that the Church should not be obedient to its own laws which it has in due form made for its own guidance. That is to say the Church is free to break its own laws when it suits somebody's convenience.

Certainly that is not a divine principle. God is a law giver and not a law breaker, and He means that men shall respect both human and divine law, and when "the Divine Head of the Church left the door of truth open to His disciples for the leading of the Spirit," and the Church, under that leading, formulated the truth and constructed Constitution and law, "the Divine Head of the Church" meant that those in the Church were in honor bound to respect and obey the law the Church had made, and to keep the contracts they had signed. Anything less than that is not common honesty, not only in the Church, but also out in the common and wicked world.

Furthermore, individuals in the Church who thus try to defend their unconstitutional propositions are doing violence to the rights of the rest of the Church which is depending upon that Constitution to defend it and the interests of the denomination, and those who are ignoring the Constitution for their own purposes entered into a contract with the rest of the Church to sustain the Constitution, and, if their purpose to violate the Constitution is not a dishonorable breaking of a contract, what is it?

The fallacious reasoning which might be supposed to have a touch of transcendentalism, is on second thought nothing better than old-fashioned Jesuitism, and the theory advanced is very like the old un-Protestant adage, "The end justifies the means."

Such utterances are dangerous and subversive of order which is "heaven's first law," and they raise the question as to whether the spirit of Bolshevism has not invaded, and even pervaded, the Church, and by its subtleties perverted the thinking of some good people.

Indifference to the law leads to the violation of the law, and that repeated results in anarchy, and anarchy destroys the rights of individuals, and disrupts governments. In the Church it is no more benign than in the State, and will cripple and rend the Church, and to save itself the Church must obey its laws.

Not long ago a book appeared which presented a study of many of the fundamental principles connected with the organism of the Church, and pointed out deviations from some of those principles which deviations were destructive of the best interests of the Methodist Episcopal Church. It was not a book of personal opinions which might be accepted or rejected according to the wish or taste of the individual, but a book of facts, historic and legal, which being facts had to be admitted by the fair-minded reader, but, being admitted, necessitated far-reaching conclusions, which would greatly affect certain propositions which were being pressed upon the leaders and legislators of the Church. The work also indicated mistakes, and

even unconstitutional acts which had escaped careful scrutiny, but which endangered the Church and needed immediate rectification.

This work was issued to help the Church to understand the situation and to reach a wise decision in view of difficulties which were daily growing worse, and, if permitted to continue, and if the project of some were permitted to materialize, would bring disaster to the denomination.

The work was received very kindly and was pronounced "a real contribution, especially from the legal standpoint, to those vast problems which press upon the Church for solution." No adequate answer was made but, after an interval, two or three who could not meet the facts of history and law contained in the book, came out in exhortations to ignore the Constitution and the law, as though they were things of no consequence, and persuade the Church to push through their unconstitutional and perilous project.

This is only another illustration of what we have tried to point out, namely, a growing indifference to, and even antagonism toward, the Church's Constitution, and, in this case, there is more than the proverbial straw which shows which way the wind blows.

Surely, it is time for the law-abiding lovers of the Church to take notice and govern themselves accordingly. They should arouse themselves and demand that lawlessness and anarchy be brought to an end, and that instantly, before the contamination spreads any further.

That this evil has reached a considerable number in the Church and has extended into various

Church bodies, seems quite evident. Even General Conferences have been affected by it, and at times have shown indifference to, and some might say, lack of knowledge of, its own laws, including the Constitution of the Church, and it is believed that under these conditions quite a list of legislative errors have resulted.

Some of these touched the whole Church, while others affected individuals, but through the individual the injurious effect went far beyond the individual and the Church.

Some of these things are hard to understand and difficult to explain. There may have been misapprehensions and excitement, but the act of the hasty moment may never be recalled, though after the act some may have said that it was irregular, or illegal, or that it was a mistake, and "if we had only known that could have been prevented," but the reflection may have been too late.

That errors of this sort may be found in the acts of General Conferences, however, is not against the General Conference in the abstract, or against all General Conferences, for they depend on the composition of the General Conferences which is constantly changing, so that one may be faulty and another very dependable.

The explanation is that sometimes delegates are elected who do not know, or do not care for, the Constitution of the Church, and they unknowingly, or recklessly, do unconstitutional things, but by changing the personnel of the body the character of the particular Conference is changed. The lesson from this is that great care should be taken in the selection of delegates to the General Conferences.

Another trouble is in the immense size of the General Conference, the great bulk of business, the limited time for its transaction, and the rush of one thing after another. These things make it very difficult to carefully analyze every proposition presented for immediate action.

That General Conferences have actually violated the Constitution knowingly or unintentionally, can be shown, and though no appeal has been taken, that does not prove the action was right, or validate the unconstitutional act. There may have been neither appeal or protest, for the injured parties may have preferred to be sacrificed and to be silent, rather than expose the Church to censure. But it does not follow that it will always be so, and that the wronged will always submit, or that those who perceive the violations will always remain silent.

There may be exceedingly serious consequences from such things. If one should appeal to a General Conference and that Conference failed to rectify a wrong because of the absence of some formality, or because of a technicality, a heart might be broken, a family might be alienated from the Church, and generations might be lost to it forever.

If anything the public would call ecclesiastical politics resulted in injury to one in the Church, through an erroneous action in a General Conference, it might mean an eternal wrong to the individual, and the public might regard it as an unpardonable sin for the ecclesiasticism, and, in such a case, if delegates sat in silence and inaction when the wrong was being done, they would share the responsibility of the prime movers.

So the individual delegates as well as the whole body can not be too careful. The Church can not know its law too well, and the General Conference can not be too strict in scrutinizing everything presented for its action.

That the great mass in the Church wants to respect the Constitution of the denomination, and wants its representatives in every department to do likewise is manifest, but, at the same time, one of the worst facts is that there is too much of a disposition to ignore the law of the Church by some of its law makers and by some of those who try to influence the General Conference in its actions. Anxiety to accomplish a purpose may dim one's perception of underlying principles.

The disrespect for law has sometimes been deliberate and when the organic law is mentioned it has often been met with a laugh or a sneer, and frequently this is deemed more effective than an argument, and, doubtless, it is with some minds, but those who thus show their lack of respect for law do not seem to realize that thus they expose their own ignorance or disloyalty.

This is by no means universal, but sometimes the method is manifested by persons where it would not be expected. One who laughs or sneers at the Constitution of the Church puts himself on the low level of the citizen who inveighs against the national Constitution, some of which class, during the great war, had their reward by compulsory residence in a penitentiary.

For one who does know and respects the law, it is a painful experience to see some that the Church has made and given positions of honor, deliberately

and persistently hacking at the roots of the system, and trying to sever the Church from the sources of its vitality.

The Constitution is presumably permanent, for practical purposes, but it is not absolutely rigid. Relatively, as compared with statute law, a constitution has a positive degree of permanence, and it is necessary and right that this should be, for the feeling and fact of stability is a part of good government.

No Church can succeed that has nothing settled, and no Church can succeed that has no pride in its past. A Church can not have peace and work smoothly that does not have the feeling that its vital things are firmly fixed, and does not have confidence that the things that have given it success will not be radically changed by a bolshevistic rush overnight.

Constitutional checks are intended to prevent sudden and revolutionary changes, and, if the Methodist Episcopal Church had no Constitution, the General Conference could radically change, or even destroy the Church without a moment's notice.

But, as we have stated this Constitution is not absolutely rigid. It is not intended to be changed easily, but it can be changed in proper form, and it provides for its legitimate amendment, and states the process.

Here, however, there is danger of abuse through persons taking advantage of the process by presenting unnecessary or ill-timed amendments, and keeping the Church in an unsettled condition, and, of late, it has been felt that some have been too reckless in proposing amendments for, though they

may never pass through the constitutional ordeal and be adopted, the mind of the Church is disturbed by the feeling of uncertainty that has been created.

Some amendments may be very judicious, and valuable amendments have actually been adopted, and, indeed, the Constitution has been entirely revised, but no amendment should be made unless for it there is an overwhelming necessity.

Once a satisfactory Constitution has been adopted, it should continue unless there is absolute necessity for modification, and then the change should not be made in haste, for frequent and radical changes in the organic law of a Church are to be deplored, as they not only change the organism of the body, but also disturb the feeling of stability.

The present Constitution of the United States of America is essentially the Constitution of 1787, and additions have been made by amendments, made occasionally and under exceptional circumstances, and not less caution should be exercised by a Church. Certainly care should be taken to prevent amendments from becoming too numerous, and both General and Annual Conferences should frown upon their multiplicity, and when suggested the proposed amendments should be severely scrutinized, and, unless they are absolutely needed, they should be promptly defeated. Unfortunately recent General Conferences have been too ready to let anything of this character slip through, possibly because it is thought they will be checked by the other Conferences. Because amendments to the Constitution have been sent around by a

General Conference, it does not follow that the Annual and Lay Electoral Conferences should adopt them, and, because an Annual Conference sends around an amendment it does not follow that the other Conferences should adopt it, or, because an amendment came up from the Annual Conference, that the General Conference should adopt it. In every case there should be most exacting scrutiny and ample discussion.

There have been amendments of a dangerous and destructive character, and there have been many which, though less destructive, have been of an injurious character, because they have been useless, or reckless, and often reveal an astonishing ignorance of the history of the Church and of the philosophy of its polity.

Carelessness or haste in dealing with such amendments may be disastrous in its consequences, for what at the moment may seem innocent may be fraught with mischief for the system.

Why is it that some persons violently attack the ecclesiastical system and present amendments that are destructive to the Constitution on various points, when, if they would only reflect, they could perceive that the fault was not in the system but in its administration? In such a case all that is needed is to correct the error of administration, and possibly the administrator and also those who interfere with the working of the administrator.

The fact is that some amendments and standing resolutions have made it more difficult to administer the system, because they are not in harmony with the system and throw it out of gear, or, if you prefer, put it out of joint, and these things show

that amendments and motions should be studied with care, and their effect as to the balance in the system should be ascertained before they are offered.

Again, it may be asked: How is it when ecclesiastical matters are not moving to the satisfaction of some, more demands are made for greater changes in the organism? Would it not be wiser to ask whether it would not be better to improve the spirit and service of the individuals in the Church?

Instead of going to the real source of the trouble the discontented fly to the invention of amendments to the Constitution, or demand that the mechanism that has worked so well in the past, and especially in the period of the Church's greatest success, shall be taken out and cast aside. They cry out: The Church does not satisfy us, therefore, let us do away with the District Superintendents or Presiding Elders; let us degrade our bishops, or let us substitute for a dignified and honored episcopacy an unchurchly and secular clerkship without power.

The worst about it is that they are willing to have this done and expect such things to be done in a hasty and illegal manner, thus showing ignorance of the constitutional law, or a willingness to violate the law to secure what they want, but such things can not be done on the instant and in mass-meeting fashion.

These excited movements amount to a confession of failure in spite of previous changes that have been made, and suggest that the remedy for some conditions is not to be found in radical alterations

in the organic law, but rather by radical changes in the individuals themselves.

One thing to be rectified is the inclination to ignore and even directly violate the Constitution to gratify the desire for things individuals wish to accomplish. That is the reason for some violations of the Constitution. Having persuaded themselves of the importance of having a particular thing done, some seem to say: "Yes, the Constitution is against our doing this thing now and in the way we want, but what we want is a good thing. So away with the Constitution and let us do it the way we want!" So they break their vows, become disobedient to the law they promised to obey and support, and become law breakers, persuading themselves by the Jesuitical plea that "the end justifies the means," or, that "it is right to do evil that good may come."

It is the old fallacious argument of expediency. It is not right but it is expedient. We want this thing and we can and will put it through, and others may not see the real issue and may give their votes to sustain it though it is wrong.

Not long ago Senator Spencer, of Missouri, in a speech, said: "It is true with nations as with individuals, that when because of fancied expediency a course of action is taken, wrong in principle and thus dangerous in result, it carries in its train shame upon those who yield and disaster to the cause it seeks to help."

That is just as true in the Church as it is with the State and the individual, and, if possible, truer, for the Church rests upon that which is right and true, and not on that which is or seems to be expedient.

The errors which have been pointed out are not the deliberate determination of many. They are mainly due to the lack of exact knowledge and to the overwhelming sweep and influence of the surroundings.

The mass of the delegates are certainly good and well-meaning, and want to do that which is strictly right and for the best interests of the Church. Many of them are inexperienced and exceedingly modest. When they come to the General Conference they are in a sense dazed. The new delegate finds himself one in an immense body, and, being well-meaning, unsuspecting and doubtful of himself, he feels that he can not lead such a body, and he hesitates to rise and make an argument, or even to ask a question or present an objection and, if he does rise, he is easily confused and swept off his feet.

Further, he notices that some men seem to be leaders and appear to direct the movements in the Conference, and, inferring that they know, he is inclined to follow their leadership, especially in the early part of the Conference. He realizes that he is at a disadvantage and should be cautious. Being in a very large body he may be at a distance from the Chair, and hence he may find it difficult to get recognition and hard to hear all that is said.

The result may be a failure to scrutinize and question every measure so as to secure an analysis of every proposition, to hear it fairly explained, and to have it thoroughly understood. In addition there is apt to be hasty legislation, often voting without much discussion, and even the passing of reports without their reading to the body, and all

this is aggravated if it happens that the delegate is not well versed in the history and law of the Church, which too often is the case.

These facts show how it might be possible for a measure that contained an unconstitutional item to slip through without the Conference recognizing the error. If the framer of the act was not familiar with the law, he might not realize the faultiness of what was proposed, and others in the same condition would not know, and would not object.

So ignorance of the law, or indifference to the law, imperils the individual and the whole denomination.

If an individual who did know the law and perceived that a wrong was being done, and that violations of the Constitution were being perpetrated, and made no effort to prevent, but permitted the error or wrong to be done, such an individual would be *particeps criminis,* a party to the crime.

The very general lack of denominational knowledge, and especially of its fundamental things is manifest, and the result of this lack of accurate knowledge is that this great Church is in imminent danger, and is put in peril by some who profess to be, and who in intention may be, its friends, and the situation is so ominous that there is no time to waste in changing these faulty and perilous conditions.

The time has come when there should be a general restudy of the history and polity of the Church. The Methodist Episcopal Church must know itself, for ignorance of these things tends to ecclesiastical suicide, though it may not be medi-

tated, for a Church insufficiently informed in these particulars, may rush on carelessly, but if it does it will go on fatally.

An unfortunate fact is that little is being done in the matter of instructing the ministers and members in the history and polity of their own Church. The Sunday School is not doing it, the Church editors are doing very little of it, and it is to be feared the pastors are doing very little more.

Comparatively speaking, few laymen today have Methodistic libraries in their homes, though they were common two or three generations ago, and not many ministers have Methodistic libraries as had their predecessors, and, in not a few of the clerical libraries, the weakest section is that which relates to their own Church. It may indeed be asked how and why, with all our Church schools, the denomination is left in such a plight, so that in this kind of knowledge the Church generally does not compare with the average information of former years.

Plainly, if preachers and people do not hear or read the history and law of the Church, it can not be expected to remain true to its vital and essential past or to have safe direction in the present or the near future.

The Church does not know itself, but it should. It is discreditable if it does not, and if it resorted to something heroic to change the situation, it could justify itself. Suppose, for example, that it decreed that no one could become a delegate to the General Conference who had not passed an examination on the history, the polity and the doc-

trines of the Church, and that he could not be seated in the body until he had presented an official certificate testifying that the party had passed such an examination. That would immediately increase the sale and study of the Book of Discipline and of works concerning the history of the Church.

Such facts as those recited make it important that the Church generally should study the basic principles of the organization and carefully consider many vital matters, and that the study should be carried on generation after generation.

There should at once be an analysis of the ecclesiastical system, and a special study of the relation of the various parts, and of the bearing of the Constitution upon all.

The history and the law should be known. It is time for some one to speak and for the Church to act. Indifference to law should be transformed into sincere interest and profound respect. Existing conditions should be helpful conditions.

CHAPTER III

THE METHODIST EPISCOPAL CHURCH

The Methodist Episcopal Church is one of the great Churches in the United States of America, and its influence extends into the uttermost parts of the earth.

In its numbers, its resources and its Christian activities, though one of the younger ecclesiastical bodies, it compares favorably with Churches of much greater antiquity. One of the young Churches in one of the world's young nations, it reflects something of the spirit and development of that free and expanding country with which it is associated.

It is natural to think of a Protestant Church as associated with a particular nation, though it may in no sense be a State Church, for, located in a nation, a Church has a mission to the people of the country, and has a peculiar relation to its people and a special sympathy for them and their peculiarities.

So it is eminently proper to think of a Church as of a country where it originated, with which from its beginning it was identified, and where it had its growing and mature development.

When Wesley sent his first missionaries to the coast on the west side of the Atlantic Ocean, to spread his work in the British Colonies, among the people who even in that day were called Americans, and the country was spoken of as America, he

recognized their field as "America," and in his Minutes of his Conference he entered the appointment under that title as such, so that the notation in the Minutes read: "America. Richard Boardman, Joseph Pilmoor," and these preachers came to Philadelphia, at that time the great port of the Colonies. Thus the work at that time was in America and was American.

That was in 1769, and when, in 1784, the Wesleyan Societies, under the lead of their preachers guided and aided by Wesley, transformed themselves into a full Church, with ordained ministers, Articles of Religion, and all other necessary particulars, they did not forget it was in America and that they were American.

When they came to name their Church they did not call it "the Methodist Church." That never has been its name. As Bishop Asbury says before the organizing Conference met they considered the forming of an independent Episcopal Church, and after it has been affected he states that they agreed to be an Episcopal Church.

The Conference did decide that it should be an Episcopal Church, but as an afterthought, probably to distinguish between it and other kinds of Episcopal Churches, they prefixed the word Methodist, so that it became "The Methodist Episcopal Church," but, remembering their country, they added "America," so that it read "The Methodist Episcopal Church in America," and, later, this was expanded into the full legal title of the Nation, and it read: "The Methodist Episcopal Church in the United States of America," "America" and "United States of America" being equivalents. By this title

many millions of dollars' worth of the Church property are held to this day.

If there was nothing more, these things would make it perfectly plain that in the organization of this Church it was intended that the new ecclesiastical body was to be an American Church within America or the United States of America.

The titles are sufficient to show that it was an American Church but there are additional and very positive proofs. The titles and references used by Wesley in his various communications with the organizers show it, as do many other things.

Just after Washington was made the first President of the new republic, the Conference sent its two bishops, Bishop Coke and Bishop Asbury, to extend greetings to the President, and when Washington responded to the salutations he spoke of the Church as "The Methodist Episcopal Church in the United States of America."

All the forces of the Church center and always have centered, in this United States. That is its habitat. Its law-making body has always met in the United States of America, and all its laws have been made in this country, and the Constitution of the Church declares that this law-making body must meet in the United States of America. (Article V, § 1.)

Its official language always has been the language of the United States of America, and the official records have always been kept in that language, the English. All these things were proper because it is a Church in, of, and for America—an American Church. It was established as an American Church, in and for America, which

was the United States of America. Any other supposition must seem unnatural and absurd. It should also be observed that all the things mentioned remained characteristic from the beginning and so exist at the present time, because it has continued to be an American Church.

It is not necessary to cite it, but there is another fact that should be mentioned because it is so remarkable and so conclusive in itself. Though so many things showed the close relation of the Methodist Episcopal Church to this country, the organizing Conference of 1784 put the fact beyond a peradventure even in the mind of the most skeptical.

From the beginning the Church has recognized its peculiar relation to the United States of America, and recognized the United States as it has no other country. This it has done in many ways but at the very beginning, when it was in the process of organization, it did the extraordinary thing of putting a recognition of its peculiar relation to America into its most sacred religious formulary, the Articles of Religion.

Wesley had prepared twenty-four Articles of Religion for the new Church, but the American organizers made another Article which they added to the twenty-four, making the number twenty-five, and inserting the new Article as the twenty-third, and this twenty-third Article demonstrates that the Methodist Episcopal Church is an American Church.

In that Article they said: "Article XXIII. Of the Rulers of the United States of America.

"The Congress, the General Assemblies, the Gov-

ernors, and the Councils of State, *as the Delegates of the People,* are the Rulers of the United States of America, according to the division of power made to them by the general Act of Confederation and by the constitutions of their respective States. And the said States ought not to be subject to any foreign jurisdiction."

That was in 1784, while the Act of Confederation was still in force. Then, later, after the Constitution of the United States had been adopted, the Sovereign General Conference of 1800, having full authority, revised the Article, so that it read:

"Article XXIII. Of the Rulers of the United States of America.

"The President, the Congress, the General Assemblies, the Governors and the Councils of State *as the Delegates of the People,* are the Rulers of the United States of America, according to the division of power made to them by the Constitution of the United States, and by the Constitutions of their respective States. And the said States are a sovereign and independent Nation and ought not to be subject to any foreign jurisdiction."

This substituted the Constitution for the Act of Confederation, and introduced the President, the new head of the Government. Both recognized the people as the source of authority, and both maintained the independence of the United States from "any foreign jurisdiction."

So to speak "The Methodist Episcopal Church in the United States of America" made these declarations a part of its religion and formulated them as one of its Articles of Religion, showing a direct relation to the United States of America, and a relation that it does not bear to any other nation

or national government, and that it is an American Church, and this is a part of the Constitution of the Church.

In the Book of Discipline for many years has appeared a footnote, but it is not an article of religion, or a part of an article of religion, and is not a part of the Constitution, and has no bearing upon the points we have stated, as it does not modify them or the twenty-third article of religion. From its very nature as a footnote, never constitutionally adopted, it could not do so, and further its own standing is questioned. We mention it, not that it has any force in the discussion, but because an effort has been made to distort the footnote and give it a relation it does not possess.

The facts mentioned, including the Article of Religion which has stood throughout the history of the Church and stands now as an article of faith; the fact that the Constitution declares "the General Conference shall meet . . . in the United States of America," so that the Constitution and the laws of the Church must be made in this country; and other well-known facts show most conclusively that "The Methodist Episcopal Church in the United States of America" has been from the beginning and is now an American Church with its seat of authority in this country.

This does not mean that it is the State Church, or a State Church, for that is contrary to American law, but that it is American in a broader sense, in its relation to America, in its composition, that its government is in America, and that it is governed by itself in America. In contradistinction is the Roman Catholic Church, which has its seat of gov-

ernment in a foreign country and claims to be a world Church.

This American Church from time to time sent missionaries to preach the Gospel of Christ beyond the boundaries of the United States, and so gradually established what are termed foreign missions. To the United States they were foreign and to the Methodist Episcopal Church they were foreign, and so, there was always a distinction between the Church and its foreign missions.

This, however, did not change the essential character of the Methodist Episcopal Church as an American Church. It was still in and of America, and the facts cited remained as before and with the same force, and just as before it continued to be an American Church.

Because the United States of America gives help and extends her activities outside the boundaries of America, it does not cease to be the United States of America, and, so, because the Methodist Episcopal Church extends her Christian activities beyond the geographical limits of the United States, she does not cease to be "The Methodist Episcopal Church in the United States of America," but remains an American Church.

Because Great Britain extended her relations beyond the British Isles, and has dependencies in many parts of the world, Great Britain does not cease to be Great Britain. On the contrary the government of Great Britain remains centered in Great Britain, and her dependencies do not have representation in the British Parliament in London, as have England, Scotland, Ireland and Wales, and still Great Britain is Great Britain.

In a similar way the Methodist Episcopal Church in the United States of America continues to be the same. It is still in and of its native land, though it has sought to help the populations in foreign lands by sending the Gospel and founding Christian missions even in the uttermost parts of the earth.

These good works do not change its nature as an American Church, and this Church can remain the same American Church, though foreign missions come and go, by the planting of new missions while the older missions mature into independent Churches for their respective lands.

Though the American Methodist Episcopal Church has sent out missionaries into countries outside the United States and established and sustained foreign missions, giving them aid and granting them certain privileges, it has remained the same Church, and the foreign missions have never been regarded as just the same as the Church in the United States of America.

One way that is shown is in the allusions to those foreign operations, and in the phrasing of those allusions. They are called foreign in contradistinction to the Church in the home land, and the home Church stands out in distinction to the operations in the foreign land, as the operator, director, and, in a sense, the ruler of these foreign organizations. That the foreign mission has copied the home Church does not destroy the distinction between the mission and the Church in America, for the foreign missions are directed by the General Conference meeting in America, and partly through a Board of Foreign Missions of the Methodist

Episcopal Church, which Board is in the United States of America.

So the distinction is implied in the phrase, "The Methodist Episcopal Church *and* its Foreign Missions," and also when persons say "The Methodist Episcopal Church *with* its Foreign Missions," and the distinction remains between the American Methodist Episcopal Church *and* Its Foreign Missions.

It may be said that the foreign missions send delegates who sit in the General Conference, but even here there is a distinction, for the delegates from the United States are delegated by constitutional right, while the delegates from the foreign missions, so to speak, sit by the grace, or permission, of the General Conference.

At one time there were no such representatives from abroad, and the first delegate, so called, was not elected as such by his foreign mission, and the law at the time distinctly declared the foreign mission must not elect such a representative, but a General Conference permitted him to sit.*

It is a principle that what a General Conference does by its own power it may undo, and, as a General Conference can make a foreign mission entirely independent, it may control the matter of foreign representation in a similar way.

By no constitutional process have these foreign missions ever been consolidated with the home Church so as to make the foreign mission an integral part of the Church in the United States

* See Bishop Thomas B. Neely's "The Methodist Episcopal Church and Its Foreign Missions." New York, Methodist Book Concern, 1923, 8vo., pp. 341, pp. 208-229.

of America just exactly as are the territory and the organizations of the Church in America.

On the contrary, the status of the foreign mission has always been regarded as different from the Mother Church in America, and the Methodist Episcopal Church in the United States of America has dealt with the foreign mission as it could not deal with its people and territory in the United States of America.

That a General Conference may deal differently with a foreign mission from what it can with a Conference territory in the home land of America, has been demonstrated by things it has done, and also shown by interpretations of the law.

Thus the General Conference has set off and made independent foreign missions. This it did in the case of Canada, and also in the case of Japan. If it had the right to do so in these instances, it has the right to do the same with two others, twenty others and all the others, but it can not do so with territory or a Conference in the United States of America, because the Methodist Episcopal Church is an American Church and it can not alienate the American Conference or territory because they are a part of itself and its permanent field is all the United States of America. The decisions of the General Conference of 1848 settle that principle as the facts in Canada and Japan demonstrate the power as to the foreign field, and the General Conference in the Canadian case settled the point that the Church was free to act, and could not hold foreign work because that work was under a foreign jurisdiction.

The Methodist Episcopal Church in the United

States of America is responsible for the work in the United States as it is not for the work in foreign lands, for it is an American Church, and the Church has never pledged itself to sustain all the foreign missions forever, or for any definite period of years, and likewise the Church has never guaranteed to send missionaries or to direct the operations of the foreign missions forever or for any definite period of years. So the Church is free to release its control within a reasonable time, while, on the other hand the foreign missions have a corresponding freedom of action to assume their natural right of self-government in a reasonable and equitable manner.

There still remains the Methodist Episcopal Church in America, sometime with and sometime without foreign missions, and there never has been an act by constitutional process that changed it from an American Church which it was at the beginning and throughout its history, so that it continues to be "the Methodist Episcopal Church in the United States of America."

The time has come when the fundamental fact that the Church is "The Methodist Episcopal Church in the United States of America" must constantly be kept in mind, for enthusiasts may destroy its Americanism, and by the wild notion of a world Church sweep away its American government, and put it under the control of a miscellaneous world, made up of many diverse races and un-American nationalities, and, if that ever comes, the Methodist Episcopal Church in the United States of America will have perished, even if the name persists.

CHAPTER IV

THE EPISCOPACY

Its episcopacy is the key to the polity of the Methodist Episcopal Church, and Wesley is the key to this episcopacy. Wesley was the key to the system in Great Britain, and, in the succession, he is the key to many things that had their full development in the United States of America.

Episcopacy is the key to the polity of the Methodist Episcopal Church, not only because of the historic succession of the organization but also because it is an Episcopal Church, but its episcopacy is different from the episcopacy of some other churches, and that fact must be kept in mind in using it as a key to the system. Hence it is not episcopacy, but its episcopacy that is to be considered.

The Church which Wesley's followers organized in America in 1784 was an Episcopal Church. While Doctor Thomas Coke and Mr. Francis Asbury were at Barratt's Chapel, in Delaware, shortly before the organization, Asbury notes that "the design of organizing the Methodists into an Independent Episcopal Church was opened to the preachers present;"* and he later says: "It was agreed to form ourselves into an Episcopal Church at Baltimore;"† and the Book of Discipline, adopted by the organizing Conference, said: "We will form ourselves into an Episcopal Church."

Then to discriminate between it and other

* *Asbury's Journal*, New York, 1821, p. 376.

† *Asbury's Journal*, New York, 1821, pp. 377, 378.

Episcopal Churches, the Conference agreed to prefix the word Methodist, thus making "Methodist Episcopal."

Wesley himself had said that he preferred the episcopal form of government. Thus in 1756, he wrote: "I believe the episcopal form of Church government to agree with the practice and writings of the apostles;"* and in his circular letter to "Dr. Coke, Mr. Asbury, and our brethren in North America," written in England, "September 10, 1784," and referring to the Church of England, he said: "I think it the best constituted national Church in the world," and in the same letter, alluding to his American followers, he said: "They are now at full liberty simply to follow the Scriptures and the primitive Church."

John Wesley's own government in Great Britain was an episcopal government, and he regarded himself as a Scriptural bishop, and said of himself: "I firmly believe I am a Scriptural επισκοπος, as much as any man in England, or in Europe."†

The episcopal government of Wesley, even in Great Britain, though much authority was vested in him, was a reasonable and democratic government, for Wesley was the choice, both of the people and the preachers, to be what he was, and he consulted and used his authority for the good of all. Had it been otherwise he could not have remained at the head of his "United Society" for nearly fifty-two years.

From him a sort of suffragan episcopacy passed

* Wesley's Works, Eng. Ed., Vol. XIII, p. 200.

† John Wesley to his brother Charles, *Methodist Magazine*, 1786, p. 50.

over to the early Societies in America, in the assistant or general assistant appointed by Wesley, and the preachers and people through them became accustomed to a form of episcopal supervision.

Episcopacy, like such kindred words as episcopal and episcopate, is from the Greek and also the Latin. Bishop is from the Greek ἐπίσκοπος and the Latin *episcopus,* but the meaning is quite simple when ἐπίσκοπος is divided into its two parts ἐπί and σκοπός, ἐπί meaning upon, and σκοπός a watcher, the latter part from σκοπεῖν, to look at, to see, making a watcher upon, to look upon or over, an overseer, and so a spiritual overseer over Churches and the clergy. The word also suggests the English word scope, which is from the Greek σκοπός, and the Latin *scopos.*

So an episcopal Church is one where the idea of supervision is emphasized, and the bishop is an overseer or supervisor, who watches over the flock of Christ.

There should not be anything surprising or startling in that. To say that one is a bishop is only another way of saying an overseer, a superintendent, or a supervisor, and in every associated activity there are principles of, and provisions for, supervision, and supervision is necessary in secular affairs as well as in the spiritual or religious realm.

With Wesley a true episcopacy did not require any apostolic succession, and, in clerical order, a bishop was no higher than a presbyter or elder, so in his circular letter of 1784, to the Americans, he said "that bishops and presbyters are the same order, and consequently have the same right to ordain."

With Wesley an ἐπίσκοπος was an overseer, or superintendent, but not in any secular sense. This is an important point, and, when the episcopate is spoken of, not as an order, but an office, care should be taken to avoid the idea of a secular office. The bishop has an order, and is in orders, though they are the orders of an elder or presbyter, and he has an office which is that of an overseer or superintendent, but the office is inseparable from the religious or spiritual idea and nature.

In the Church a bishop is always a cleric who watches over the flock of Christ and has clerical functions not only as a presbyter but as a bishop, and is not merely like a secular superintendent who oversees the erection of a material structure or directs a force of mechanics.

Wesley declared that he was a bishop, and as much so as any one in Europe, and there never was a bishop who did truer episcopal work than John Wesley, and he meant that his American Church should be an episcopal Church, and that implied that it should have bishops, though it be under a title that was a synonym. The ritual which he provided proves that.

Wesley's conception of the episcopacy, his definition of the episcopacy, and his practical working of the episcopacy are of vast importance, for they passed into and were adopted by the Methodist Episcopal Church, and have been incarnated in its economy.

Wesley named Thomas Coke, D.C.L., and Francis Asbury to be joint superintendents or bishops, but he did not make them superintendents or bishops of the new Church. Asbury refused to

take the position unless he was elected by the Conference, and the Conference elected both Coke and Asbury, and elected them unanimously, and the power to elect passed forever to the Conference.

The bishops were elected to do certain things. They were endowed with certain powers and were understood to exert certain authority, for an executive officer without power would be a contradiction and a weakling.

The proceedings were entirely democratic but they did not mean to have a powerless episcopacy. That the bishops should have power to do certain things, for which they were duly empowered and definitely charged, was perfectly consistent with democracy, for in all governments responsibility and authority must be lodged somewhere.

The government created was democratic because the bishops were elected by the Conference which was conceded to represent the organization, and it remains a democratic government though the chief executives have certain powers of direction and decision. Thus the the making of the appointments of preachers and ministers was in harmony with a democratic government, just as the Government of the United States of America is a democracy, notwithstanding the President of the United States and the Governors of the States are endowed with authority to make appointments and to do other specific things. Like the bishops, they are elected to do these and other things, and the doing of them does not destroy the democratic government of the Nation or of the State. The most extremely democratic governments have to lodge executive power with particular individuals.

Doubtless a number of things came over into the Methodist Episcopal episcopacy by succession or inheritance from Wesley, and they were acceptable, for even then they had successfully stood the test of a generation and a half.

The episcopacy of the Methodist Episcopal Church has not the authority found in some other Episcopal Churches. Indeed, it is a very moderate episcopacy.

The bishops are not chosen by the bishops but by the Conference, and the body of bishops are even without authority to confirm the election of the new bishops.

The bishops are not a legislative body to make laws, or concur in the making of laws, as the bishops of the Protestant Episcopal Church have power to propose laws, and to concur or non-concur, so that no law is made unless they agree to it. Further, the bishops in the Methodist Episcopal Church have no higher clerical order than the presbyters or elders. In brief, the Methodist Episcopal Church is not governed by bishops but with bishops. Its episcopacy is not a prelacy.

The bishops of the Methodist Episcopal Church from the very beginning have had a highly responsible and greatly respected position. They were at the head of the operations of the Church; they initiated much and pushed to success ideas suggested by others; they were the force that moved the preachers from point to point and kept the Churches promptly supplied with pastors; and, travelling at large through the work, they had a thorough knowledge of the whole Church, helped greatly to link the sections together, and gave the

entire Church a genuine solidarity and a common and concentrated spirit.

From its organization the Church had always had a body of bishops, sometimes composed of a few but growing in numbers as the Church itself has grown, and with functions conferred and inherent, exerted a great and beneficial influence, and largely because of its growing knowledge of the Church and the country which knowledge was conceded to be the greatest possessed by any equal number of men.

So the bishops, though close to the preachers and the people, yet, with different functions from the mass of the ministers, the circumstances made this episcopal body a unique organization. The selected bishop, though with the same clerical order as his brother presbyters, but charged with different official functions from the general body of the eldership, and solemnly consecrated to the office and work of a bishop, is a man set apart from his brethren in their interest and in the interest of the entire Church.

Because of the nature of their work, the bishops are naturally and necessarily a special and distinct class, and, when a presbyter is elected a bishop, by becoming a bishop he automatically goes into that class of the ministry, the episcopal body.

Just as a layman, who is admitted into the regular ministry, goes up from the laity into the Annual Conference, so a presbyter when made a bishop goes up from the Annual Conference into the episcopal body or body of the bishops and has membership there, and this he does automatically because he has been made a bishop. The bishops

can not prevent it and nobody elects him specifically to that membership. He is there at once because he is a bishop.

He does not remain a member of the Annual Conference from which he was taken, but, as he went up from the laity into the ministry of an Annual Conference, so he goes on up among "the bishops," whatever that body may be termed, and there is his membership. The bishops have always been a distinct body in the economy of the Church.

The bishops of the Methodist Episcopal Church never were elected for a term of years. It never was recited in the bond and it never was there by implication.

Wesley never thought of an episcopacy that did not have a life tenure. He had a life tenure and he said he was as true an episkopos as any man in Europe. Wesley knew nothing of a time-limited episcopacy, and he knew that the Church of Christ had no such episcopate. When he named Doctor Thomas Coke and Mr. Francis Asbury as joint superintendents there was no intimation of a limited number of years. It was an appointment for life or good behavior.

Coke and Asbury knew nothing of a bishop elected for a specific number of years. The organizing Conference of 1784 had never known of an episcopate for a limited term of years, and it never came into the thought of the preachers, that the bishopric the Church possessed was of such a limited character. It is perfectly evident that the organizing Conference had no such intention of limiting the term of its bishops in any such man-

ner. It never fixed or intimated a limit of years, and both the fact and implication were that the bishopric had a life tenure, and that the bishops were elected for life or good behavior.

As a matter of history, the bishops in the early period of the Church were not elected for a term of years, but, the understanding was that, as in the case of other bishops, without any limit of years. Bishop Coke and Bishop Asbury, and all the early bishops in the Methodist Episcopal Church were elected for life. No incumbent ever was elected more than once, and there was no suggestion that any one could be subjected to a second election.

The certificate Wesley gave Doctor Coke does not state or intimate the possibility of any limit of years, and neither do the testimonial documents given the early bishops in America, but they all show an unlimited tenure as to years.

The certificate of the election of William McKendree as bishop, in 1808, which was signed by Bishop Asbury and the elders who acted as consecrators, proves most conclusively that the early bishops were elected for life or good behavior. It recites that William McKendree was "set apart" "to the office and work of a superintendent or bishop of the Methodist Episcopal Church, as a man whom we judge well qualified for the office of superintendent and one of the bishops of the Methodist Episcopal Church, and fit to preside over and feed the flock of Christ, so long as his spirit, practice and doctrine is such as becometh the Gospel of Christ, and he shall submit to the discipline and order of the said Methodist Episcopal Church in America."

That was signed on May 15, 1808, and it fully shows that the bishop was not elected for a term of years, but that the bishopric had a life tenure, and that the bishop was elected for life or good behavior, and that he was to continue in the episcopal office "so long as his spirit, practice and doctrine were in harmony with the Gospel of Christ," and as long as he submitted "to the discipline and order of the said Methodist Episcopal Church in America." That was a life tenure.

The common law of established usage, there being no written law to the contrary, is among the best forms of law, and unwritten law is good law, but in this matter of the episcopacy there is both historic and documentary evidence proving the life tenure of the episcopate in the Methodist Episcopal Church.

Bishop McKendree's certificate brings us down to the General Conference of 1808, and shows the kind of episcopacy the Church had down to that year, the year when the written Constitution was made and the new and limited delegated General Conference was established.

We are to note that before these things were done, and in the same month of May, 1808, and by the same General Conference, William McKendree was elected and consecrated a bishop. His certificate, in that very year, shows the nature of the episcopacy to include the life tenure. That was part of the plan of the episcopacy, and when the General Conference adopted the written Constitution it did so after incorporating and protecting "the plan of our itinerant general superintendency," a part of which was the life tenure of the

bishopric and by this insertion the General Conference is prohibited from changing it or putting a time limit on the bishops.

This was and is one of the fundamental principles of the Methodist Episcopal kind of episcopacy maintained and illustrated from the beginning, in the early period of the Church, as its method or plan, under the original and Sovereign General Conference, and then, in the written Constitution of 1808, when, providing for a less powerful delegated General Conference, "the plan" of that early episcopacy was incorporated in and protected in and by the Constitution of that year, as it is in and by the present Constitution of the Church.

Some who have not been close students of the history and polity of the Methodist Episcopal Church have recently suggested that the General Conference be asked to order the election of bishops for four or eight, or some other term of years. This would be a different episcopacy from what the Church now has and has had from the beginning of the Church, and it is a change that the General Conference cannot make, for the General Conference, under the Constitution, is prohibited from changing our episcopacy, or as the Constitution reads, "the plan of our" episcopacy.

Even if the General Conference could order the election of bishops for a term of years it would be very unwise to do it. Bishops are not just like the civil officers of a State or National Government. The civil officers are to do secular work, but while a bishop in the Methodist Episcopal Church is a General Superintendent, he is also a bishop with religious and clerical duties to perform, and they

relate, not only to sacred duties connected with worship and the ministry, but also to character, which requires time and experience.

The sacredness of the bishopric requires time and maturity, and age gives increased value to the incumbent, and no matter how capable a young bishop may be, all other things being equal, a mature bishop is better.

People sometimes demand young bishops, and they cite the fact that Francis Asbury was only about thirty-nine years of age when he was made a bishop, but he was not made a bishop because of his youth, for he was a senior among his juniors. Most of those in the Conference were his sons in the Gospel, and he was the oldest man they could get. Actually young, he was relatively the senior preacher, but even he was a better bishop twenty years later.

To make a short term episcopacy would discount the episcopacy and lower the dignity of the Church, and, probably, bring low and selfish politics into the election and into the administration, while certainly it would not promote reverence or increase efficiency.

A bishop could be removed for cause, but it had to be after an equitable and legal trial and conviction, and not without investigation and full opportunity for defence, and not merely by a secret ballot or any other kind of a vote, and the defence must have all the rights an accused person would have in an American court of law. It is noteworthy that no Methodist Episcopal Bishop has ever been arraigned for a violation of the moral law.

A bishop could remove himself from the bishopric

by refusing to "travel at large," without the consent of the General Conference, for he would voluntarily cease to be "an itinerant General Superintendent."*

Of course, a bishop can resign. That was actually done by Bishop Leonidas L. Hamline, who resigned in 1852, after he had been in the office for eight years.

In the Methodist Episcopal Church all who have been made bishops have lived and died in the episcopate except Bishop Hamline, who voluntarily resigned. They were elected for life or good behavior and that still is the plan of the Constitution.

When a bishop became ill or was enfeebled he and the other bishops adjusted the work according to his condition, so as to relieve him as far as possible, and he continued in the episcopacy and with his brother bishops. So, even down into recent years, there was not even a nominal distinction on account of diminished strength, ill health or age, and when a bishop was informally or formally excused from full episcopal service on account of impaired physical or mental force he remained a bishop and among the bishops.

In later years the General Conference began to speak of effective and non-effective bishops, and still later of effective and superannuated bishops, and the latest form is the use of the word "retired" for superannuated, but it means just the same as superannuated.

Retired, however, is not as good a word as superannuated, for superannuated tells its own story;

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* Book of Discipline, 1920, ¶ 214.

namely, that the bishop of that class is one beyond the age or period for full effective service, and that that is the reason why the bishop is put in that class, but retired does not explain itself with an apparent reason, and confuses the matter with military retirement, which it is not, for a bishop is not retired in the sense that an army officer is, but continues to have episcopal rights and duties.

The change of the title of the aged minister from "superannuated" to "retired" was an unfortunate change, for superannuate told the honorable story of the man's effective years having been devoted to the ministry, and that is the reason he is placed in that relation, while "retired" as a title gives no reason, and is a term that can be abused. One might be retired for many different reasons, and under the title retired men are being retired that could not legitimately be superannuated, and, as a consequence, needed pastors are being retired at too early an age, and the Church is losing their services, while the funds for superannuates are being drawn on more heavily than is necessary.

The change from superannuated to retired, it should be remembered, was not made regularly by the General Conference, for the rules of the body required that a proposed change in the wording of the Book of Discipline should lie over and be printed in the Conference *Daily,* as Rule 23 reads: "All resolutions proposing changes of the discipline shall state the language of the paragraph, the line to be altered and the language to be substituted, and no such proposed change shall be considered until it has been in the possession of the General Conference for one day and shall have been printed in *The Daily Christian Advocate.*"

The requirements of this very proper rule were not met. The matter was not written out, it was not printed in the *Daily,* and was not in the possession of the Conference for one day, but was a change made without any notice, as it was made by a mere motion in the midst of the consideration of a report on another subject, and thus the change was made in haste, without fair discussion and without compliance with the rules of the body.

There seems to be some misunderstanding or lack of comprehension as to what is meant by a retired bishop, and some light may be thrown upon it.

The General Conference of 1904, referring to the status of superannuated bishops, adopted the following:

"A superannuated General Superintendent is relieved from the obligation to travel through the connection at large, and may choose the place of his residence. He shall not be assigned to the presidency of Annual Conferences nor make appointments; but, if requested by a bishop presiding, he may take the chair temporarily in a General or Annual Conference; and, at the request of the bishop presiding in the Annual Conference, he may ordain candidates previously elected to orders.

"A superannuated bishop shall be an advisory member of the Board of Bishops; and his name shall be printed with the signatures of bishops in the introduction to the Discipline, the Hymnal and the Journal of the General Conference; he shall also be a member of the different boards and general committees of which bishops are *ex officio* members."*

* General Conference Journal, 1904, p. 423.

The same appears in the Book of Discipline for 1908, but with the addition of the words: "and may also preside over the General Conference Standing Committee on Boundaries."*

All of this shows that the Conference is dealing with bishops who have lost vigor—it may be by age or disease, and, therefore, are entitled to be placed on the superannuated list and be excused from the exacting duties and exposure of effective bishops, and so the act speaks of relief given, and they are "relieved from the obligation to travel" and of the responsibility of making appointments, but they still retain episcopal functions, and may preside and ordain, and in further proof that they still are bishops their names still appear in the former places on the roll and the official lists, and in the old form without any qualification, and they are members of bodies to which the bishops belong.

In 1912 additional action was taken as follows:

"A General Superintendent who has reached the age of seventy years may be released, both from the obligation to travel through the Connection at large, and from that of residential supervision by giving notice in writing to the Board of Bishops that he so elects; and when a General Superintendent has been released in this manner the Board of Bishops shall report the fact to the Book Committee and to the next General Conference."†

"A General Superintendent, at the close of the General Conference nearest his seventy-third birthday, shall be released from the obligation to travel through the Connection at large, and from residential supervision."‡

* Book of Discipline, 1908, ¶¶ 201, 202.
† Discipline of 1912, ¶ 210, § 1.
‡ Discipline of 1912, ¶ 210, § 2.

"A General Superintendent, at any age and for any reason deemed sufficient by the General Conference, may be released by that body from the obligation to travel through the Connection at large, and from residential supervision."*

There was some repetition in 1912 of the thought of 1904, and an additional expression covering all the acts as follows:

"A General Superintendent or a Missionary Bishop who has been released under any of the foregoing provisions may continue to exercise all the rights and privileges which pertain to the Episcopal Office, except as herein otherwise provided."†

This reaffirms the previous actions showing that the changes in activity were not in the nature of deprivations, but were in the nature of relief from burdens or obligations that had become too onerous for the bishop, and hence the use of the words "released" and "relieved," but the bishop could "continue to exercise all the rights and privileges which pertain to the Episcopal Office, except as herein otherwise provided." In other words, his functioning as a bishop was the same, except where the things were explicitly and specifically stated, for no right or power could be withdrawn without a definite act to that effect.

In recent years there seems to have grown up a mistaken notion as to the force of the term retired and the rank of such a bishop, but the non-effective, superannuated or retired bishop remains a bishop, and continues to possess episcopal powers. He is

* Discipline of 1912, ¶ 210, § 3.

† Discipline of 1912, § 3.

still a bishop of the Church, and a bishop among the bishops, but on account of presumed impairment of health and strength or age he is relieved from traveling at large and from the duty of making the appointments of preachers, he may preside and he may ordain deacons and elders and consecrate bishops.

Such relieved bishops may be of immense value to the body of the bishops and to the Church generally, for they have a knowledge and experience that young bishops cannot be expected to possess. That wisdom is invaluable, and they still are bishops, meeting as bishops with the other bishops and engaging in their episcopal deliberations. That knowledge and that practical experience are at the disposal of the junior bishops and all the bishops, while in other ways the whole Church is benefited by their many ministrations.

The Constitution of the Methodist Episcopal Church provides for, and recognizes, only two kinds of bishops. One is the General Superintendent Bishop and the other is the Missionary Bishop. This is clearly shown in Article X, § 3, commonly called the third restrictive rule.

At first the Church had only one kind; namely, the General Superintendent Bishop, called both a bishop and a General Superintendent, but later the Constitution was amended by making a second class of bishops, termed Missionary Bishops. That, however, is the limit. The Constitution permits no other kind of a bishop, and the Church can have no other kind, because the Constitution does not provide for or permit another.

The General Conference of 1920, however, under-

took to make another class, and to elect for that class, but that the General Conference had no authority to do so. The episcopacy is a matter of the Constitution, and the Constitution provides for no third class, and the General Conference could not do what the Constitution did not permit, for the Constitution is the voice of the whole Church and it limits the General Conference, and when it attempted to make another class of bishops called Negro General Superintendents, it did an unconstitutional thing, and an unconstitutional act is null and void.

The Constitution recognizes General Superintendents, but it does not recognize "Negro General Superintendents," and this ballot was not for "General Superintendents," but was officially marked "Negro General Superintendents," and the ballot for "General Superintendents" had been so marked and previously had been cast. This is distinctly stated in the *Daily Christian Advocate* and the Journal of the General Conference of that time.

There was no law against electing negroes as General Superintendents if they were elected on the regular general ballot in competition with others, but this was a special and restricted ballot marked "Negro General Superintendents," of whom two were to be elected, and no one was to be voted for except a negro, and, therefore, it was not an open and free ballot for all.

Under the Constitution the established usage had been to have one ballot for General Superintendents and another for Missionary Bishops, but this was a departure to do an unconstitutional thing.

So a vote was taken for "Negro General Super-

intendents" when there were no such constitutional bishops, and according to the constitutional law there was not, and could not be, a "Negro General Superintendent," and they were voted for, not as General Superintendents, but on a different ballot as "Negro General Superintendents," and "Negro" is part of the title.

It was said that they were to be limited and serve only the people of color, but if they were limited they were not "General Superintendents," and were not the same as General Superintendents, who are not limited to a class or to a restricted field. They were not elected to be General Superintendents, and everything that was done in this regard was a violation of the Constitution and has no legal standing.

It had been the established usage in printing the lists of bishops to follow the order of seniority, and to keep the classes separate, beginning with the General Superintendents and following with the Missionary Bishops, but, through some influence, that has not been done in the case of the new class called "Negro General Superintendents." Instead of being listed as a separate class, which they were intended to be, the two names have been placed in the list of General Superintendents, which they are not. The Conference followed the order reported by the Committee on Temporal Economy, which was: "Form 3. For Negro General Superintendents," and that was the title on the ballots, and so the delegates voted.*

The listing them in the Book of Discipline and

* General Conference Journal, 1920, p. 553.

elsewhere among the General Superintendents contravenes the intention of the General Conference and is calculated to make the impression that there is no distinction, all of which adds to the wrong in violating the Constitution of the Church.

This election of "Negro General Superintendents" (?) was plainly illegal and is just as unconstitutional now as it was at the General Conference of 1920.

Another thing done by that General Conference that has been gravely questioned has been the way the Conference made certain Missionary Bishops General Superintendents. It was perfectly legal to elect a Missionary Bishop a General Superintendent. For example, if, in the general ballot for General Superintendents, enough delegates voted for a man who was a Missionary Bishop there is no doubt he would have been duly elected a General Superintendent, for the law permitted that change of relation by election as General Superintendents were elected. The General Conference did not elect in this way.

Instead of electing them General Superintendents, as General Superintendents were elected; that is to say, on the general ballot for General Superintendents, they were voted for on a special and restricted ballot.

The Committee on Temporal Economy, in their report, "No. 2. Plan of Election," presented for the ballot: "Form 1. For Missionary Bishops to be elected General Superintendents,"* and that was followed.

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* General Conference Journal, 1920, p. 553.

This has been criticized as a sort of compulsory and restricted way of voting, for there was no competition, and that the delegates were prohibited from voting for any persons other than those indicated; namely, the Missionary Bishops. Hence, it was regarded as an improper way of voting, and as not an open and free ballot, for the candidates were limited and the voters were so restricted that they had no choice or alternative. Of course, if they had been elected in the general balloting for General Superintendents it would not have been possible to base a challenge or to take an exception.

Most things about the episcopacy were settled from the beginning of the Church, and the episcopacy started with a well-understood method, much of which had been foreshadowed in the episcopacy of Wesley himself.

For example, there was the executive supervision of the work; the traveling at large throughout the work; in other words, the "itinerant general superintendency"; the duty, authority and fact of appointing the preachers to their places for ministerial service, and the necessity and right of rendering decisions of many kinds. These things are inseparable from the work of superintendency, and the early bishops in these things did as Wesley had done and the young Church approved.

As was done by the early bishops, permitted to be done or directed to be done, it crystallized into a code or method of episcopal action recognized and respected by the bishops and well understood by both preachers and people.

This went on for about twenty-four years forming, testing and settling, until 1808, when, what

is commonly called the first written constitution of the Methodist Episcopal Church, was formulated and adopted. This constitution made no change in the episcopacy or its methods, but protected the episcopacy against possible changes in its nature and its established methods, and incorporated the methods as they were at that time under the expression, "the plan of our itinerant general superintendency," which it prohibited the General Conference from changing formally or informally in any way, thus making "the plan of the episcopacy, as it was in 1808, a part of the organic law or Constitution. At that time it read: "The General Conference shall not change nor alter any part or rule of our government so as to do away with episcopacy, nor destroy the plan of our itinerant general superintendency," and in this form it has remained in the Constitution ever since,* in what is termed the third restrictive rule.

This means not only that the General Conference shall not change this wording, but also that it shall not "change" or "alter" anywhere else "any part or rule of our government" that would affect this restrictive rule or change anything that would be understood as modifying the episcopacy and this plan of our episcopacy.

The expression of the Constitution as to the episcopacy called the general superintendency is exceedingly illuminating. The duty involved is that of superintendency over the Church and its affairs and especially those that are spiritual. A part of a bishop's work is to superintend or oversee. In

* Constitution, Article X, § 3.

that is the idea of observation and also direction, the most important part of which is assigning the ministers to their work and keeping the Churches supplied with pastors.

This superintendency has some specific characteristics. Thus it is declared to be a "general superintendency." That suggests a territorial idea with an application to the field of "The Methodist Episcopal Church in the United States of America," and means that the General Superintendent is for the field generally, and is not for a diocese or section of the territory, and is in this particular the opposite to what is known as the diocesan episcopacy. It means that a General Superintendent Bishop, the only kind the Church had when the third restrictive was put into the Constitution, could not be localized in any section, and could not have a diocese in any form or under any name. In other words, all the bishops were for the entire field and each bishop was a bishop everywhere in the field, which was "The United States of America."

The thought conveyed by the law is emphasized by the qualifying word "itinerant." The episcopacy is an "itinerant general superintendency." It is not a "settled" episcopacy, but the opposite. It is not a settled but a moving episcopacy in which the General Superintendent Bishops are moving bishops, who, as the language of the law says, "travel at large," or as the specific duty is phrased, "to travel through the Connection at large";* and "if a bishop cease from traveling at large among

* Discipline, 1920, ¶ 208, § 7.

the people without the consent of the General Conference" (as when a bishop is given a retired relation), "he shall not thereafter exercise, in any degree, the Episcopal Office in our Church."*

The Constitution speaks of "the plan of our itinerant general superintendency," which the General Conference is prohibited from changing, so that the bishops cannot be localized in the United States, and cannot be assigned to a diocese, no matter what may be its listed name or its camouflaged name, for the district or limited territory, over which a bishop exercises sway is a diocese, no matter what may be the title, and the Constitution of the Methodist Episcopal Church prohibits any form of diocesan episcopacy.

Before the Constitution was made, the episcopacy was an "itinerant general superintendency," and that "plan" was embodied in and protected by the Constitution, and that part of the Constitution has never been changed.

General Superintendent Bishops cannot be legally localized in the United States or anywhere else. They are for the whole United States of America, and in it they are to have general functions and to itinerate at large.

According to the Constitution the general superintendency cannot be diocesan or localized, and if it cannot be done according to the Constitution, under our constitutional government, it cannot be done at all.

There is today in the Methodist Episcopal Church an arrangement called the area episcopacy, which

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* Discipline, 1920, ¶ 214.

proceeds on the assumption that the territory of the Church in the United States of America was divided into districts popularly called areas, and that to each area is assigned a General Superintendent, with residence and episcopal supervision in each area or episcopal district, and that means that as a bishop is assigned to a particular area, all the other bishops are not assigned to that area, but outside that area. So a bishop is assigned to an area with residence and episcopal supervision, which means that he is the resident bishop with supervisory authority, and that no other bishop has that supervisory power in that division of territory. He is the bishop of the area and no other bishop is.

This has been regarded as, and it certainly is, something different from what the Church had at the beginning and through its history down to very recent years, and so different that it must be interesting to ascertain how this new scheme came to be introduced, and that in the very face of the Constitution which forbade any change in the old "plan."

The first formal suggestion leading to the present arrangement was made in the General Conference of 1908. At that time it amounted practically to a recommendation for the bishops to consider whether something of this character was legal and practicable.

The act of 1908 was, strictly speaking, nothing more than a request that the bishops consider a suggestion, and it contained an admission that the districting of bishops was unconstitutional. Thus, it said: "Whereas, The plan of districting the

bishops by the General Conference is not in harmony with the Constitution of the Church, as interpreted by the General Conference of 1904," etc.

That was an admission that the General Conference had no power to district the bishops, which meant to assign them to defined portions of territory, and the suggestion of the proposition of 1904 was that the bishops might possibly do it for and with themselves. So this was proposed:

"*Resolved,* That we respectfully request the bishops, if they shall find it practicable:

"1. To arrange the annual conferences into groups covering contiguous territory.

"2. To form several groups of conferences into districts.

"3. To assign the individual bishops within said districts to preside for the ensuing quadrennium, in rotation, over the several annual conferences in such districts."

This was not a legislative act, and it was not a mandate to the bishops. It was simply a request for the bishops to consider the suggestion and to determine whether it was practicable, which plainly included the question of its constitutionality, and by passing the resolution of request the General Conference made no law on the subject, and the resolution clearly intimates and concedes that it was a matter beyond the jurisdiction of the General Conference.

But it ought to have been just as clear that the bishops themselves had no more right than the General Conference to go against the Constitution of the Church, and in this case, where it was conceded the General Conference had no right to dis-

trict the bishops, and the Constitution set forth the nature of the episcopacy in "the plan of our itinerant general superintendency," it followed that the bishops could not change or modify the character of the episcopacy of the Church.

During the quadrennium the bishops took the matter up at their stated conferences, considered every aspect of the question, and never could reach an approval of the suggestion, but every time defeated the proposition.

That was the way the matter stood when the time came for preparing the episcopal address for the General Conference of 1912.

In that address the bishops declared that the new scheme was not in harmony with the Constitution of the Church and quoted the General Conference as having made a formal decision that such an arrangement was unconstitutional.

Referring to the recommendatory action of 1908, the Episcopal Address said:

"It is apparent on any close reading that this action asks for a type of administration quite different from that suggested by some discussions that preceded and followed the General Conference of 1908." With this general statement the bishops proceeded to say:

"The bishops had a right to believe that the General Conference of 1908 did not request them to proceed in an unconstitutional manner; nor did the General Conference wish them to assume that the third restrictive rule had no meaning for the bishops themselves. As late as 1904 the Judiciary Committee had made an exhaustive historical and legal report on the subject. The report, which was adopted by the General Conference by an emphatic

vote, declared against the constitutionality of any plan which in effect would limit the territorial jurisdiction of any bishop for a given period. The bishops were sure that the resolution of 1908 was not meant to contravene the judicial decision of 1904."

The Episcopal Address further said:

"It becomes at once apparent that when we determine upon direct and localized episcopal administration every jurisdiction must be empowered to choose its own bishop."

The address continued the consideration of the proposition by saying:

"It has been recently advocated that this General Conference shall 'assume the power' to confine every bishop to a limited jurisdiction for a period of four years. Taken in connection with the reasons assigned, this proposition, when closely examined, involves the principle of diocesan episcopacy, and aside from conflict with General Conference interpretations of fundamental law, the plan itself defeats the declared purpose. . . . The official translation of the incumbent every four years would not change the principle of administration. And the principle once established, its practical fruition is inevitable. The proposition stated in practical form is this: 'We will give a bishop four years of unceasing flight among five or six hundred Churches in order that he may gain personal knowledge of preachers and conditions; but he must do this *without being much absent from his residence,* for it is also expected that he will, in the same period, build himself into the complex life of a great city and become a recognized power and leader in all its religious movements and civic reforms!' It would quickly appear that he could do neither one nor the other in four years, nor both in eight years. And then, his removal to another

district would mean simply the exchange of his acquired knowledge for his successor's ignorance—and this in every district the same, and the Church would face the dilemma of utterly defeating its declared purpose in creating districts, or, having already swallowed diocesanism in principle, proceed to its complete assimilation. There could be no other alternative except retreat from a disastrous experiment."*

This was a plain and forceful declaration by the bishops that what was being asked for, and what is in the so-called area episcopacy is a violation of the Constitution of the Church, and that it could not legally be brought about either by the General Conference or the bishops, or by both. The address also showed that the scheme, even if attempted, would defeat itself and become a "disastrous experiment."

The address also pointed out the unique nature and effectiveness of the constitutional episcopacy that would be lost by a resort to a districted bishopric. Thus this episcopal address says:

"An episcopacy that is church-wide in its jurisdiction, that is a unit in its operations, that holds its every incumbent responsible for the peace of the whole Church, for conformity in doctrine and polity, and uniformity in administration—such an episcopacy contains in itself the best possible guarantee of homogeneous church life and activity. . . . And who shall say that the affairs of a Church that is world-wide in its operations are not better administered by having a general and unbroken oversight of its entire field through a body of men, all of whom are compelled to project their vision to the ends of the earth, to study continental

* Episcopal Address, 1912, pp. 33-36.

problems and to so co-ordinate their knowledge and counsel as to maintain an administrative balance throughout its entire field? . . . We are firmly persuaded that neither the usefulness of the office nor respect for its incumbents can be increased by subtracting from its traditional functions and prestige."*

Notwithstanding the evident accuracy of these declarations of the bishops, somehow, without the support of the Constitution and without any direct law for it and nothing stronger than an expressed recommendation in the form of "we recommend," "we earnestly recommend" and "we urgently request," the scheme called the "area episcopacy" or "contiguous and continuous episcopal supervision" was put into operation in 1912.†

If it be said that the bishops yielded to a request as strong as a demand, that does not change the situation materially. Whoever did the deed, General Conference or bishops, the act was a violation of the third restrictive rule of the Constitution and it remains on the record, and in action a violation of the Constitution, and a dozen years or any number of years cannot cure the wrong.

It remains that the so-called "area episcopacy" is not according to "the plan" of the Constitution. It is a localization of the general superintendency. It is in fact a diocesan episcopate, to which Wesley was opposed and the Constitution is against it, and the Constitution is more powerful than the General Conference, or the bishops, or both together. The so-called area episcopacy is, therefore,

* Episcopal Address, 1912, pp. 31-33.

† General Conference Journal, 1912, pp. 529, 530.

unconstitutional, and the error should be promptly rectified.

When it comes to a judgment as to the practical outcome of this unconstitutional experiment, two voices will be heard, one in approval, the other in disapproval, and the decision should not be determined by the volume of sound, but by the soundness of the statements. Where there are personal reasons on one side or the other these should be stricken out. The question is: What are the facts?

It may be said that the bishops do good work in their areas. There is nothing surprising about that. Capable men will accomplish, no matter where they are put and notwithstanding many difficulties. The answer to that assertion is that the bishops did good work before there were any episcopal areas, and before there were any such assigned areas they did the best work ever done by the bishops, and the Church had its greatest real successes. That an area bishop does good work is not the point. If there was no such imitation of the diocesan episcopate, and the Church had its constitutional episcopacy he would do better work for the whole Church, and this has been demonstrated by what the bishops achieved under the old and legal system. When the net increase of membership in the last year has gone down to less than one member per Church, it does not prove a prosperity of which we can boast, and when the financial contributions of many millions are pointed out, it will be answered that this is not due to the area episcopacy, but to the scientific drives of what has been regarded as a new form of bureaucracy aided by the money estimations made by the great war and its immense expenses.

The area idea in the Methodist Episcopal System is impracticable. A localized bishop in the United States cannot do the local work that is expected. If he makes the impression that he is doing it, he is simply making of himself a big presiding elder and ceasing to be the heroic figure intended in the "itinerant general superintendency." He ceases to have the full proportions of a Methodist Episcopal bishop with his good qualities felt throughout the Church, and the area practically knows only one bishop, and forgets or loses interest in all but its own, while, on the other hand, the area bishop becomes less of a general superintendent by losing the general knowledge of the Church generally that made the older bishops so intelligent in the affairs of the whole country. In other words, the area method tends to shrivel up the local bishop and to give the areas bishops with general knowledge, which is an injury to the general Church.

The constitutional general superintendency has great advantages over the localized episcopacy in areas fenced in from the Church beyond, and unless the localized bishop is exceedingly tall he will not see very far over the fence, and is not likely to minister very much for the general good, whereas under the general superintendency the bishops have had a better and broader general knowledge of the whole field, and could act more intelligently for the Church as a whole.

The area bishopric is out of harmony with the philosophy of the Methodist Episcopal episcopacy. In the real episcopacy the bishops are to do direct and special episcopal work. The General Superintendent preaches, but he is not to do the work

of a pastor of a Church. He is to preside over an annual conference, but it is not necessary for him to know the minute details and to hear all the gossip of every local community.

For detailed work of the locality the Church economy provides presiding elders or district superintendents, and no bishop can gather and classify the local knowledge like those who belong to the locality. The presiding eldership meets this need, so that a bishop who never saw a conference before, aided by these local officers, may give a good administration without having his own residence there. Indeed the old bishops used to have a saying that "a bishop may know a conference too well to make good appointments." So it is conceded that a non-resident bishop can have more independence and probably be more impartial.

The area episcopacy is alleged to have a deteriorating effect upon the presiding eldership or district superintendency, and the District Superintendents confirm the statement. These officials have been heard to say that, with the area bishop at hand, they cannot be the leaders they otherwise could be, that parties concerned go over their heads, and that the area episcopacy tends to limit, hamper or discount the local supervision of the district superintendency. Certain it is that before the area episcopacy was inaugurated these local officials were leaders and did a great work in expansion, Church erection and in every department of denominational activity.

The economy of the Methodist Episcopal Church implies a small number of bishops for the general episcopal work and a large number of local assist-

ants, called presiding elders or district superintendents for local supervision. On the other hand, the so-called area episcopacy calls for more limited fields, more bishops, and, therefore, much greater expense.

The general superintendency is an economical episcopacy and may be efficient and exceedingly efficient with comparatively few bishops.

Some will remember that not many years ago there was a great fatality among the bishops, but the few remaining bishops took the whole work upon themselves and discharged it to the marked satisfaction of the Church. Many more men, at much greater cost, could not have done it better. Such a ready and rapid adjustment could not have been made with the area system.

People are comparing the number of conferences held by bishops under the constitutional system in the course of a year with the small number held by an area bishop, and the figuring of the work done and the expense incurred has been greatly to the disadvantage of the area episcopacy.

Before the area episcopacy was ventured upon, one bishop would hold eight or ten annual conferences in the fall, and about as many in the spring; whereas, now the area limits him to possibly less than one-fourth of that number for the whole year, and people with business heads say it means reduced service and immensely increased expense, and the conclusion is that the area episcopacy is not economical but extravagant, requiring many more bishops and much more money, with results no greater, if as great.

There may be too many bishops, and yet it seems

possible to make a General Conference submit to efforts to make another area to "let in" one more man, or to elect a very large and unnecessary number on the plea that it will advance "the kingdom." Some apparently want at least one bishop for every state, and then some more. Some of these boosters may have lofty motives, while the motives of others are possibly less lofty, but the Church pays the bill, and, if there is disaster, suffers from the consequences.

There are practical evils which are likely to grow out of the area episcopacy, some of which have already manifested themselves.

This unconstitutional episcopacy is affecting the spirit of the preachers most disadvantageously. Many of the ministers are restive under the "continuous episcopal supervision." In the olden times the preacher had learned to expect a different bishop every year, and, if he was disappointed in his appointment, he could console himself by saying: "Well, at the next Conference we will have another bishop, and he may do better for me." Now it is different, for he must generally expect the same bishop year after year, and he is tempted to cry out against this "continuous episcopal supervision," and when the appointment is unsatisfactory he is tempted to say: "This bishop seems to be prejudiced against me. He is the area bishop, and if I stay here he will be here all the time, and I have nothing better to hope for," and even when it is announced that for one Conference another bishop will preside it gives him little or no encouragement, for he recognizes that the District Superintendents who will sit with and advise the

visiting bishops or the appointees of the area bishop and have been under his instruction, and, further, that the area bishop may have imparted his judgment as to appointments to the visiting bishop, his heart sinks within him and he may say: "It is hopeless, for the 'continuous episcopal supervision' of the area bishop continues even when another bishop sits in the chair." The preacher may be utterly mistaken, but the "continuous supervision" gives him ground for his inference, and, though entirely in error, the thought, nevertheless, breaks his spirit. But a system that even is calculated to start such a suspicion is a bad system, and again a system is a bad one that would give an opportunity for a man to carry out a prejudice in that way if he had a prejudice against a preacher. A good system should make that next to impossible.

That there is wide-spread dissatisfaction with the "continuous episcopal supervision" of the area episcopacy under one bishop must be plain to any one in a position to observe. Among the straws which show what way the wind blows is the loud demand that a law be enacted limiting a bishop's residence to eight years, and in this demand one of the bishops has joined. That means that they are determined to break the "continuous" episcopate of the area at least at the end of eight years, but there is a deeper demand to abrogate it altogether by returning to the constitutional "itinerant general superintendency" and all that belongs to the original "plan" of the episcopacy.

The bishop of the area himself is involved. It may seem to be a pleasant thing for him to be

settled among congenial preachers and people, and possibly in a great city, but his brother bishops in remote parts may have friends who will think their episcopal friends should have their turn in the more desirable episcopal sees, and may endeavor to produce a circulation among those in the "continuous episcopal supervision," and those in the metropolitan sees will have to exchange with those in the less desirable mountain sees, and, when this comes about, they may perceive that the old method where every bishop was in law, and in popular estimation an equal with every other bishop, no matter where his residence happened to be.

Perhaps some will learn that there is an advantage in being an itinerant bishop presiding at points all over the country rather than being a diocesan bishop with the restraints connected with his little area, and they will find it is not necessary that bishops shall be filled with neighborhood gossip, or swayed by local ambitions and petty strifes to make them efficient administrators.

The "continuous episcopal supervision" imperils the bishop of the area in many ways. Some think it is calculated to fill him with a sense of his authority that may make him feel and act as though he was irresponsible. Some may say that the bishop shows partiality, that he has become attached to a certain few, and that some others have attached themselves to the resident bishop, and charge that the bishop has gathered a favored coterie around him, while others may say that a coterie has surrounded the bishop. Every charge of this character may be absolutely untrue, but such statements will hurt even the most innocent. When we compare

the old constitutional "itinerant general superintendency" with the continuous area episcopacy, it is manifest that such charges are more likely to spring up in the area than in the old system where the itinerant bishop came and went.

All the bishops in the areas are not equally fortunate in their "continuous supervisional" experiences. According to rumors things do not move on with equal smoothness and serenity, but when an examination is made into the conditions it may not be the fault of the incumbent, but the fault of the area system of "continuous supervision" that keeps the bishop continuously under the microscopic scrutiny of the continuous critic in an atmosphere of conflicting personal interests and ambitions.

Some such experiences may be found under the old system of "itinerant general superintendency," but they are not so likely or so frequent as in the continuous area system, where so many things are calculated to provoke rivalries, dissatisfaction and complaints.

It is even said that in instances many have, under this continuousness of administration of one bishop, sunk into a state of hopeless despondency, and they regard the area episcopacy as an incubus which they would like to shake off, but feel they cannot get rid of it, but must struggle along under cloud and burden with lost independence and without a buoyant spirit. In almost every instance it may be a false imagination, but while it exists the depression is disastrous.

The area episcopacy is not a sound Methodist Episcopal arrangement. Speaking ecclesiastically

it is evil in its tendencies and vicious in its results.

There is no good law for it. There is no constitutional law and there is no clear statute law. If an act of the General Conference can be found that seems to have given it the rank of law, it is against the Constitution of the Church, and, therefore, is null and void. The act of the General Conference of 1908 was not a law or a mandate, but a mere suggestion or recommendation for the consideration of the Board of Bishops. The bishops, during the succeeding quadrennium, discussed it over and over again, but they never favored it. On the contrary, in their official address, read to the next General Conference of 1912, by Bishop Earl Cranston, the bishops declared it could not be done, pronounced it to be unconstitutional and showed that the General Conference of 1904, in a carefully studied and elaborated decision, had so ruled, and, further, the action of the General Conference of 1912 on this matter was not a law or a mandate, but a mere recommendation or request. It is rumored that during the General Conference of 1912, some one told the Committee on the Episcopacy that the bishops wanted the area episcopacy. If so this may have influenced the Committee, but that the Board of Bishops had so voted was not correct, and the Episcopal address shows it was not. Again during the open session of the General Conference the conference was told the bishops were willing to try it, though the matter had not been submitted to a meeting of the bishops, and bishops on the platform said they had not been consulted. These facts show the matter was not clearly understood.

The districted or area episcopacy is an unconstitutional arrangement, and a violation of "the plan of our itinerant general superintendency," as stated in the Constitution, Article X, § 3.

There never has been positive law of any sort, or appearance, for it, but a mere suggestion and a recommendation for consideration. Some seem to have been misled into favoring it, and irregularly experimented with it, but the experiment does not justify it, and the Church should demand an immediate return to the method of the constitutional and itinerant general superintendency.

The bishops, superintendents or general superintendents were intended for service in "The Methodist Episcopal Churuch in the United States of America," and their official residence was in the United States of America.

As has been shown, this Church was an American Church at the beginning and continued to be a Church in and of the United States of America. Wesley's first missionaries were appointed to America. That was the title of the field, and when Wesley set apart Thomas Coke, D.C.L., it was to superintend in America, and so with Asbury, whom he designated to be a co-superintendent, or joint superintendent, or bishop.

In the certificate which he gave to Doctor Coke, Wesley said:

"Know all men, that I, John Wesley, think myself to be providentially called, at this time, to set apart some persons for the work of the ministry in America. And, therefore, under the protection of Almighty God, and with a single eye to his glory, I have this day set apart as a superintendent, by the

imposition of my hands and prayer (being assisted by other ordained ministers), Thomas Coke, doctor of civil law, a presbyter of the Church of England, and a man whom I judge to be well qualified for that great work. And I do hereby recommend him, to all whom it may concern, as a fit person to preside over the flock of Christ," etc.

This was dated September 2, 1784, and shows that Dr. Thomas Coke, the first bishop of the Methodist Episcopal Church, was set apart, or consecrated, for America, or as Wesley says, "the ministry in America."

So, in his circular letter of September 10, 1784, to his American followers, Wesley wrote: "I have accordingly appointed Doctor Coke and Mr. Francis Asbury to be joint superintendents over our brethren in North America," by which he meant, as he said in the same letter, "the provinces of North America (which) are totally disjoined from the mother country and erected into independent States," and, as he wrote in the Coke certificate, "the people in the southern provinces of North America, who desire to continue under my care," the references being to the United States of America.

The General Superintendents were for America or the United States of America. Bishop Coke spent a portion of his time assisting the Wesleyans in Great Britain, but the Methodist Episcopal Church did not permit Bishop Coke to act as a bishop or General Superintendent when he resided outside the United States of America, and so the Church entered in its minutes:

"*Quest.* 1. Who are the superintendents of our Church for the United States?

"*Ans.* Thomas Coke (when present in the States) and Francis Asbury."*

The superintendents, or bishops, were for the United States, and the minutes for the next year say:

"*Quest.* 1. Who are the bishops of our Church for the United States?

"*Ans.* Thomas Coke, Francis Asbury."†

In 1808 the entry was very remarkable. It reads:

"*Quest.* 6. Who are the superintendents and bishops?

"*Ans.* Francis Asbury, William McKendree."

"Dr. Coke, at the request of the British Conference, and by consent of our General Conference, resides in Europe. He is not to exercise the office of superintendent among us, in the United States, until he be recalled by the General Conference, or by all the Annual Conferences respectively."‡

All this shows not only that the Church was an American Church, but that the bishops or superintendents were for the United States of America and were not intended to reside outside the United States.

This action of 1808, just quoted, was taken by the General Conference that adopted the written Constitution. It was the last of the original and sovereign General Conferences, and what it did had the force of Constitution because it was sovereign,

* Conference minutes for 1787.

† Conference minutes for 1788.

‡ Conference minutes for 1808.

and it is especially noteworthy that this original and sovereign General Conference ordered that a General Superintendent resident outside the United States of America was not to be classed as a functioning bishop, which was an assertion that the General Superintendent bishop was for the United States of America and that his residence should be in this country.

In the minutes of the next year, 1809, a suggestive change was made in the order of the titles. In 1808 the question was: "Who are the superintendents and bishops?" but in 1809 it read: "Who are the bishops and superintendents," and that became a continuous form. Superintendent put forward the idea of executive supervision, while bishop emphasized the religious and ecclesiastical idea, as in ordaining and consecrating, and the spiritual ministry thus giving the full historic conception of the episcopacy.

For many years there was no thought of any Methodist Episcopal bishop residing outside the United States, but as the missions in foreign countries grew and increased in importance there was a growing conviction that the foreign fields needed resident episcopal supervision, but at the same time it was realized that the Church had no kind of a bishop that could be sent outside the United States and located in a foreign land.

It had the General Superintendent bishop, but he was in and for the territory in the United States of America, as was shown by the law and the history, and could not be legally located in a foreign field.

That was conceded by all, and by none more

clearly than by the most earnest friends of foreign missions. That was the understanding of the early Church down into 1908, and the Constitution of that year said: "The General Conference shall not change nor alter any part or rule of our government so as to do away episcopacy, nor destroy the plan of our itinerant general superintendency."

The plan placed the General Superintendent bishop in the United States, for he was to itinerate and exercise the general superintendency in the United States of America, and could not be located in a foreign country, and the General Conference could not go contrary to that "plan" of the episcopacy. So the General Conference and the Church recognized the fact that the bishop was a general superintendent who itinerated throughout the Methodist Episcopal Church in the United States of America and could not be constitutionally located in a foreign land.

Nevertheless, the conviction persisted that the foreign missions needed episcopal supervision of some kind of a bishop who could reside in the mission field. So, about 1856, it was suggested that the Church should provide for the foreign fields by creating another and different class of bishops to meet the demand. The General Conference could not do it, but the Church could make it possible by the constitutional process.

Following this suggestion the General Conference drew up and passed a proposed amendment to the third restrictive rule of the Constitution of the Church, and sent it down to the Annual Conferences. They voted in favor and the amendment became a part of the Constitution.

The amendment added to the third restrictive rule the words: "but may elect a Missionary Bishop or Superintendent for any of our foreign Missions, limiting his Episcopal jurisdiction to the same respectively."

That left the General Superintendent bishops as heretofore for the United States of America, but made it possible to elect Missionary Bishops, who were to act and reside in foreign mission fields.

In this way was created a new class of bishops who could do what the General Superintendent could not do, and with whom the General Conference could do what it could not do with the General Superintendent bishop. The General Superintendent could not be given residential supervision in a foreign field, but the Missionary Bishop could have such residential supervision abroad, for it was constitutional to so locate a Missionary Bishop outside the United States of America.

The splendid work done by missionary bishops in the foreign field has called forth the admiration of the Church, and it was found that the foreign missions produced men who were abundantly able to supervise the work, and the missions greatly prospered.

In late years, however, a new school of thought has grown up, and these thinkers failing to understand the philosophic and practical distinction between the work in the United States and in the foreign countries, have failed to see the great value of Missionary Bishops abroad, and a few years ago began to send General Superintendents as residents abroad, thus going contrary to the history of the Church and its Constitution.

Down to 1900 no General Superintendent was assigned to a residence in a foreign mission. But the practice began that year and in recent years the number was increased, and in 1920 the General Conference sent a large number of General Superintendents into the foreign missions and elected all the effective Missionary Bishops to be General Superintendents and assigned them to foreign mission fields. All of this was a violation of the Constitution of the Church, but the Constitution reads just as it did before, and another General Conference can reverse these actions by ceasing to send General Superintendents abroad, and by electing Missionary Bishops for foreign missions where this permanent missionary episcopacy is needed because of the peculiarities of the foreign peoples. In addition there are many other reasons why the actual distinctions between the home and foreign work should be maintained by maintaining the difference between the home and foreign episcopacy.

There may be bishops in various places, but in the Methodist Episcopal Church there is only one official body of bishops now called the Board of Bishops, and, according to the system, there cannot be more than one. The "bishops" are a unit, whether there are only two, as at the beginning, or when there are many, as they have grown in recent years, and if there was only one bishop that one would be the episcopal board.

That there cannot be a board of bishops in every continent, or where there are two or three contiguous bishops, has always been recognized by the Church. The body of bishops, or the Board of

Bishops, is one for the whole Church, and, like the General Conference, must meet in the United States of America, where it has always met, and the bishops, meeting officially in the United States, is the only Board of Bishops in the Church.

If there are two or more bishops in a foreign field, included in a Central Mission Conference, they may meet to consider the work in their own field, but not with the broad duties and powers of the body of bishops or Board of Bishops, but there is no legal sanction for the meeting in foreign mission fields of bishops of different foreign fields.

Very recently there has developed a strange misunderstanding of the title Board of Bishops, and some have even said there was no law for the title, but, on the contrary, the title appears in a number of places in the Book of Discipline, and the title was placed there by the General Conference, and it would seem that the title which may have grown up in popular use was thus given an authoritative right. But the title Board of Bishops gives no more power to the episcopacy than if the assembled members were simply known as "The Bishops."

The body of bishops might be known by some other designation. Thus the corresponding body in the Methodist Episcopal Church, South, is called "The College of Bishops," and the Protestant Episcopal Church has its "House of Bishops."

However, it is not, and never was, necessary that a General Conference should make the body of bishops by special enactment, for the bishops of the Methodist Episcopal Church are a body by the fact that they are bishops. When a minister is

made a bishop by that fact he enters the episcopal body. When Coke and Asbury were elected and consecrated as superintendents or bishops they became the body of bishops, "The Bishops," or "The Board of Bishops," and their successors in the episcopacy have automatically gone up into the body of bishops because they were bishops.

So the bishops have always been a distinct body in the economy of the Church, and have always been so recognized, and having their own work, they must have their own consultations, and, therefore, must have their own meetings, and, as they may have to function at special times, all these things must be determined by themselves, and they may meet at stated and special times.

The keynote to the Methodist Episcopal system is its episcopacy and that must be kept true to its traditions.

CHAPTER V

THE GENERAL CONFERENCE

The original government of the Methodist Episcopal Church was in its conference of traveling preachers, and preachers and people recognized that the sovereign power was in this conference, and they acquiesced in what it did.

As the Church spread far and wide in the United States, gradually, and for convenience, instead of meeting in one place, as one body, the preachers became divided into groups according to locality, but, while they were spoken of as conferences, it was understood that they together were "The Conference," and votes were taken in order as these gatherings met, and at the last gathering of the season the votes of all the bodies were counted together and the footing made the expression of the body of the preachers, or "The Conference."

Later these local groups were called annual conferences, as they met annually, and still the total, or body of the preachers composed the sovereign conference. Ordinarily the preachers met in their local conferences, but at times, when deemed necessary, the ministers of all these bodies came together in one place, and the meeting was called a General Conference, because it was composed of the ministers generally, but still it was essentially the original conference with sovereign power.

At first there was no regular time for the General Conference to meet, and Bishop Asbury had

developed what was called "The Council," made up of the bishops and the presiding elders at the head of the districts, as the plan for the council said: "Our bishops and presiding elders shall be the members of the council; provided, that the members who form the council be never fewer than nine." Bishop Asbury's tendency was toward a centralization of power, with himself as the center which, under the circumstances, was not an unnatural desire.

While this arrangement suited Bishop Asbury it caused great dissatisfaction among many of the preachers, and Bishop Coke was made acquainted with the situation.

Bishop Coke opposed the continuance of the council, and it was he who brought about the establishment of a General Conference to meet at fixed intervals, so that to Bishop Coke the Church is indebted for the Quadrennial General Conference, and this unified and strengthened the Church at a very critical juncture.

The first Quadrennial General Conference was held in the year 1792. At this General Conference there was considerable revision of the Book of Discipline, which appeared with the title: "The Doctrine and Discipline of the Methodist Episcopal Church in America, revised and approved at the General Conference held at Baltimore, in the State of Maryland, in November, 1792, in which Thomas Coke and Francis Asbury presided."

Bishop Asbury was exceedingly uncomfortable at this conference, and he wrote: "Perhaps a new bishop, new conference and new laws would have better pleased some. I have been much grieved

for others, and distressed with the burden I bear and must hereafter bear," and he turned the presidency of the conference over to Bishop Coke, who gave the conference the benefit of his learning and liberal spirit.*

The Quadrennial General Conference had a stabilizing influence. It brought the preachers generally together once in four years, and while their annual conferences met each year for routine business and the adjustment of the appointments, the preachers looked forward to the general meeting once in four years when they could settle and provide for the affairs of the entire Church, and the Quadrennial General Conference became the legislative body of the Church, where its laws were made, and also to it passed the power to elect the bishops and other general officers for the Church.

Still it was the same original and sovereign conference composed of the aggregate membership of the itinerant preachers, and the answer to the question, "Who shall compose the General Conference?" was, "All the traveling preachers who shall be in full connection at the time of holding the conference." In four years the answer was made to read: "All the preachers who have traveled four years, and are in full connection at the time of holding the conference;" and in 1804 it was changed to read: "All the preachers who shall have

* It is remarkable that the Journal of this very important conference could not be found when the Church began to print the Journals of the General Conferences, and it was never printed until under an act of the General Conference of 1892, I was charged with the duty of reconstructing the Journal of the General Conference of a century before. I undertook the work and the Book Concern published it in 1899, thus completing the Journals.

traveled four years from the time they were received on trial by an annual conference, and are in full connection at the time of holding the conference."

That meant the body of the ministry in the membership of the annual conferences, or, speaking generally, the body of the itinerant eldership, and, because the General Conference was made up of the body of the itinerant ministry in the annual conferences, they carried with them into the Quadrennial General Conference the sovereign power they had possessed from the beginning, and so the early Quadrennial General Conferences possessed the sovereignty of the Church, and, having this sovereign power, these early conferences could act for the whole Church, and act according to its own judgment, having respect to its own agreements, and without interference from any other body in the Church. Ecclesiastically it was all-powerful.

After nearly a quarter of a century or more, exactly about twenty-four years, after the organization of the Church in 1784, the rapid spread of the Methodist Episcopal Church produced the conviction that the great increase in the number of ministers and the long distances to be traveled, as well as the loss of service in the respective conferences by the absence of the preachers from their work, made it inconvenient to have all the preachers assemble at any given point for a General Conference.

In view of this fact, it was concluded that the General Conference must be diminished in numbers, and, in order to have an equitable represen-

tation from all the annual conferences, it was decided that the delegates would be elected according to a fixed numerical proportion.

This was agreed to by the General Conference of 1808, which according to its nature, it had a right to do, for it, like all the law-making conferences from the beginning, possessed the sovereign power of the Church. This new kind of a General Conference, however, was to be a different kind from the General Conference of 1808, or any of the General Conferences which had preceded it. They contained the body of the itinerant ministry, but the body of the ministry would not be in the new kind of General Conference.

The sovereign power was still in the body of the ministry in the annual conferences and the new kind of General Conference could not have any power unless it was conveyed to it by this sovereign authority. It could be only a delegated body with delegated power, delegated to it by the body of the ministry in the annual conferences, which body of the ministry was assembled in this General Conference of 1808.

It was necessary, therefore, that the General Conference of 1808 should state what power the sovereign body would permit the new delegated General Conference to possess. Further, to avoid misunderstandings it was decided to put the provisions into the permanent form of a written, and printed document. This was done and the document has been called the written Constitution of the Methodist Episcopal Church, and it was immediately printed in the Book of Discipline.

A very brief study of this document will show

that this sovereign General Conference of 1808, the last of its kind, had no thought of creating a new General Conference that could do whatever it pleased, simply because it was called the General Conference, and the only General Conference in existence.

So the General Conference of 1808 empowered the new kind of General Conference with authority to do some things, but bound it by certain restrictions or limitations, which have generally been called "the six restrictive rules," which say, "The General Conference shall not" do this and that, the things being most explicitly stated.

The result is that the Methodist Episcopal Church has a delegated General Conference which may make "rules and regulations for the Church," but it cannot do everything under that general authorization for the empowering is qualified, and the power is held in check by the prohibitions imposed by the sovereign authority, where the Constitution says, "under the following limitations and restrictions."

Thus the delegated General Conference has not unlimited power, any more than the Congress of the United States of America. The Congress is a representative body, but it is under the restraints placed upon it by the Constitution of the United States, and, in a similar way, the delegated General Conference of the Methodist Episcopal Church is not an unlimited, or all-powerful body, but is under the restraints placed upon it by the Constitution of the Methodist Episcopal Church, in its "limitations and restrictions." In this the delegated General Conference is not like the first

General Conferences which were all powerful in the government of the Church.

Thus it is seen that the sovereign body of the traveling ministry did not give up its sovereign power when it created and limited the delegated General Conference.

To repeat, because it is important the General Conference of 1808, containing the body of the ministry which had the sovereign power and, therefore, could make any adjustment it pleased, it did grant to the delegated General Conference certain power, but it also put certain checks upon the new General Conference, which would not be an omnipotent body to act according to its own pleasure.

Then, as the body of the ministry in the annual conferences did not give up all its sovereign power it is evident that it retained a portion of its original sovereignty, and as can be seen a very considerable portion.

That it reserved to the body of the ministry in the annual conferences certain primary and sovereign rights is shown in a very marked manner in its provision for the control of the Constitution and in its prevention of any change in the Constitution by the delegated General Conference.

The Constitution of 1808 prohibited any change in the Constitution unless all the annual conferences consented and the unanimous action of the annual conferences had to precede any action by the General Conference. It read:

"Provided, nevertheless, that upon the joint recommendation of all the annual conferences, then a majority of two-thirds of the General Con-

ference succeeding shall suffice to alter any of the above restrictions." Some modifications have been made in later years in the provision for amendment, but the annual conferences have always retained absolute control of the matter of amendment, which is the continued assertion of its sovereign power.

The annual conferences have always asserted, retained and exercised control of the Constitution, so that the delegated General Conference could not change it, and no amendment could be made in it at all or by anybody without the consent of the body of the ministry in the annual conferences.

So the fundamental government was and is in the ministry generally, as in the annual conferences, and that body of the ministry, or eldership, never relinquished its right and duty to pass upon the fundamental law of the Church.

Thus the body of the ministry in the annual conferences has remained the custodian, or caretaker, of the Constitution of the Church, watching the propositions and actions of the General Conference with all the right and power that implies, and thus the annual conferences never relinquished their right to protect the fundamental law of the Church, which implies the right to scrutinize the actions and propositions of those who act under the Constitution, including the General Conference.

These annual conferences retained their sovereign authority over the law of the Church, by reserving their right to say what the Constitution should be, and to pass upon all proposed amendments to that instrument, and this logically im-

plied their right to hold the new kind of General Conference to an exact observance of the Constitution which was originally made by the ministry in the annual conferences. Some modifications have been made in the document in recent years but these principles remain unchanged.

It is necessary to have a correct understanding of the nature and powers of the delegated General Conference at the present time. The General Conference is not an all-powerful body, though it has certain powers, all of which are conferred. The General Conference is not the supreme authority in the Church. The Church is above the General Conference which is its agent, and the General Conference is controlled by the Constitution of the Church, which it did not make, and of itself cannot change. It is, therefore, not supreme but subordinate.

The General Conference has powers but they are delegated and limited. The early General Conferences, before 1812, were all-powerful, but, as has been shown, they were so because they contained the sovereignty of the Church, and because this is lacking in the delegated General Conferences, they are far from equal in power to the General Conferences of the first period of the Church.

Here is where the justice who wrote the decision of the Supreme Court of the United States on the Book Concern case erred historically, when he said: "The same authority which founded that Church in 1784 has divided it," by which he meant that the General Conference of 1844 had the same power as was possessed by the organizing confer-

ence, and the early General Conferences down to and into 1808. As was shown in previous remarks, those early conferences had sovereign power, but since 1808 the General Conferences have only had delegated and limited authority. So the General Conference of 1844 had nothing like the amount and variety of power possessed by the organizing conference of 1784, and the General Conference of 1848 denied that the Methodist Episcopal Church had divided itself, and said: "We claim that the Methodist Episcopal Church, South, exists as a distinct and separate ecclesiastical communion solely by the act and deed of the individual ministers and members constituting said Church." Further, the remark of the justice was not the decision on the merits of the property case. The first and sovereign General Conferences could do practically anything and everything, but after 1808 the delegated General Conference could only act within certain prohibitive "limitations and restrictions."

It is, therefore, an error to suppose that the delegated General Conference can do anything and everything it pleases, if it can get its delegates to give a majority vote, or any other vote for any and every proposition.

The General Conference can make "rules and regulations for the Church," but all its actions must be subject to "the limitations and restrictions," which are distinctly specified.

It is, therefore, the first duty of the General Conference to know what is constitutional, and when anything is proposed to accurately ascertain whether the proposed action is in harmony with

the spirit and letter of the Constitution, and to refuse to favor anything that is not, and, if there is anything doubtful or uncertain, to give the Constitution the benefit of the doubt.

If an act is unconstitutional, by that fact, it is null and void, and by doing that which is unconstitutional, the General Conference does the Church and itself a great wrong.

In this matter, every delegate and the whole Church have a duty to perform, by, as far as possible, preventing unconstitutional actions by the General Conference, and where they have been done, securing a remedy at the earliest possible moment. That may be done in the body itself, by securing a reconsideration and a reversal in the General Conference, or, in some way having the action overruled.

It is unthinkable that a General Conference can override the Constitution without there being any way to protect the Church and to right the wrong.

For some things, for example, where an illegal injury had been done, certainly an appeal could be taken to the civil courts, and they would take cognizance of a wrong, or injury, done, and, if it could be shown that the General Conference had gone contrary to its own law, and violated the Constitution of its own Church, in doing the wrong, the courts would seek to rectify the wrong.

Of course, where Church courts are competent to right the wrong, recourse would have to be made to them.

Certainly there might be cases where an appeal could be taken to the annual conferences where the sovereign power that made the Constitution was

vested, and it would not be the first time that such an appeal has been taken to that sovereign authority.

That an appeal could be taken to the annual conferences is quite reasonable, for the ministers in these bodies were the primal makers of the Constitution, who surrounded the General Conference with its limitations and never gave up their control of the Constitution, or of the General Conference which was their creature. These bodies are still the seats of the sovereign power which always has belonged to the body of their ministry, which, having made the General Conference and the Constitution, can hold the General Conference to an observance of the Constitution, and in the very nature of things can hear an appeal from an alleged unconstitutional act by the General Conference.

There have been times in the General Conferences, as, for example, those of 1820 and 1824, where the impropriety of the General Conference being the final judge of its own acts was strongly maintained. As Bishop Tigert, of the Methodist Episcopal Church, South, in his "Constitutional History of the American Episcopal Methodism," has said: "Twice, however, in 1820 and 1924 did the General Conferences of the undivided Methodist Episcopal Church endorse the principle of the incompetency of the General Conference to pass finally upon the constitutionality of its own acts."*

In addition propositions were made to lay the question of constitutionality "before the annual con-

* John J. Tigert, D.D.: "Constitutional History of American Episcopal Methodism," Nashvile, Tenn., 1894, p. 355.

ferences, in which case the decision of a majority of all the members of the annual conference present when the vote shall be taken shall be final."*

Commenting on these actions Dr. Tigert says:

"The principle of the procedure by which a delegated body of limited powers is assumed to be competent in any final way to fix the limits and meaning of a grant of power made to it by others—in this case the body of traveling preachers—is dangerous, anomalous, and, in civil affairs, without precedent. This power of definition and interpretation belongs alone to the annual conferences which, in a very vital sense, created the General Conference to act as their agent, with instructions. If any doubt arises as to the purport of these instructions, the principal, not the agent, must decide their meaning. Moreover, among other purposes, constitutions are constructed for the protection of minorities. But, if a majority of the General Conference may both define and interpret the Constitution, then are not only the absent body of elders, but also the minority of representatives present, helpless. Much less could the principle be admitted that one General Conference, of equal powers, presumably equal intelligence, could sit in judgment upon the constitutionality of the acts of a preceding General Conference; for in that case, since each constitutional decision could be opened afresh every four years, certainty and finality would never be reached," and he also speaks of "carrying an appeal to the court of last resort, the tribunal of the annual conference."†

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* *Gen. Conf. Journal*, I, p. 267.

† Doctor John J. Tigert: "Constitutional History of American Episcopal Methodism," Church South Publishing House, Nashville, Tenn., 1894, 8vo., pp. 361-363.

The Bishops of the Church may have a part and duty in this connection. For example, it might happen that a delegate would present a proposition that was out of harmony with the Constitution of the Church. It might be that the mover had not intention of doing anything contrary to the Constitution, but that is not the point whether it is unintentional or deliberate. It is enough that it contravenes the Constitution. Can the bishop or bishops do anything in such a case?

The bishops are the highest law officers of the Church. They are supposed to know the law. They spend a great part of their time in considering and deciding points of law. Their whole administration implies familiarity with the Constitution and the law. In the General Conference they are the presiding officers where they are to watch for and prevent improper procedure.

Now the delegate presents the proposition which the bishop perceives is unconstitutional. Has he not a duty to save the body from humiliation, and the Church from injury? Must he let the matter go on when he knows it is wrong when as a presiding officer it is his duty to protect the body and maintain the law?

As Bishop Stephen M. Merrill wrote in 1892: "Suppose a motion is made which plainly contravenes a restrictive rule. In the hurry or excitement of the hour the members of the body do not catch the bearing of the motion in that respect, and no point of order is raised. Must the president entertain the motion knowing it to be unlawful? He would be derelict of duty if he saw that it was in conflict with the rules of order and did not promptly refuse to entertain it. Must he

be less watchful in guarding the Constitution than in upholding the rules of order? . . . The president, who is bound to maintain the rules of order, is also bound, by the nature of his office as a bishop in the Church, to protect the Constitution from infraction by refusing to entertain a motion that he believes to be unlawful under that instrument. His obligation in this regard is as high as his obligation to preside and enforce the rules of order."*

That is good common sense, and good common sense, is good law, certainly where there is no good law to the contrary. The bishops have a right to call attention to unconstitutional procedure, and it is their duty to try to prevent it, and circumstances may indicate just what should be done.

In the Constitution of 1808 there was nothing that directly or indirectly prevented the bishops from pronouncing on the question of constitutionality, and in most things the Constitution remained essentially the same until after the General Conference of 1900. In the meantime there grew up certain notions as to what the bishops should not, or could not, do, though they were unsupported by the law.

These current opinions possibly had some influence upon the revised Constitution which was proposed in 1900 and soon after adopted. In that revised Constitution appears the following:

"The presiding officer of the General Conference shall decide questions of order, subject to an appeal to the General Conference; but questions of law shall be decided by the General Conference."

* *The Christian Advocate*, New York, March 24, 1892.

This has never received an adequate exposition and it is surrounded by considerable indefiniteness. Just what is its scope will, in the minds of many, seem indistinct and unsettled, and it is not perfectly clear as to what is meant by "questions of law."

"Questions of order" may be interpreted as referring to its own rules of which the General Conference may be considered as a competent interpreter, but the other "questions of law" may not seem so evident.

Surely it was not intended to give the General Conference power to override and annul the Constitution which was not made by itself, but by the whole Church, and made to restrain the General Conference. It could not have been the intention of the Church to give the General Conference power to ignore, explain away, or, practically and actually, destroy the Constitution which was to govern it, for that would be putting it above the Constitution, thus reversing its very purpose.

Surely it cannot mean that the General Conference can give any meaning it pleases to the command of the Constitution when it says: "The General Constitution shall not," and so explain it as to nullify the order. That would make the Constitution an absurdity, the General Conference a lawless body, and carry the Church to the verge of chaos.

Again, this statement surely does not mean that an ordinary action of the General Conference, as in the passage of a resolution or report, would be regarded as a decision on a question of law, and especially when the proposition was not either

discussed or read, and, perhaps, its bearing was not understood as to its legal aspects. That certainly could not be a legal interpretation of the Constitution, or change of the meaning of the Constitution, and, certainly there must be a distinction between the General Conference sitting as a court of law, and a General Conference rushing reports and resolutions through in haste, and, perhaps, without discussion, or reading, or a clear understanding of their contents and implications.

The passage refers to the "presiding officer of the General Conference" and that means the bishop who is in the chair at the moment. If the inference is that there are questions he may not decide while he is in the chair, it does not say that he cannot raise questions and make statements about the matters at issue. It may be absolutely necessary for the understanding of the body, and even if there are questions that he cannot decide there is much he may say and should say, short of actual decision.

Then the body of the bishops, not mentioned in the citation, may have accurate knowledge and important opinions which the Conference should possess, and excellent reasons why they should communicate to the Conference, and as there is no law against it, it may be the bounden duty of the bishops to make the communication.

With all this, still the annual conferences, containing the body of the itinerant ministry that created the delegated General Conference and made the Constitution continues above the General Conference, and may have opinions as to what the General Conference does.

The revised Constitution of 1900 states the powers of, and the restrictions upon, the delegated General Conference, as follows:

ARTICLE X. *Powers and Restrictions*

The General Conference shall have full power to make rules and regulations for the Church under the following limitations and restrictions, namely:

§ 1. The General Conference shall not revoke, alter, nor change our Articles of Religion, nor establish any new standards or rules of doctrine contrary to our present existing and established standards of doctrine.

§ 2. The General Conference shall not organize nor authorize the organization of an Annual Conference with less than twenty-five members.

§ 3. The General Conference shall not change nor alter any part or rule of our government so as to do away Episcopacy, nor destroy the plan of our itinerant General Superintendency; but may elect a Missionary Bishop or Superintendent for any of our foreign Missions, limiting his Episcopal jurisdiction to the same respectively.

§ 4. The General Conference shall not revoke nor change the General Rules of our Church.

§ 5. The General Conference shall not deprive our Ministers of the right of trial by the Annual Conference, or by a select number thereof, nor of an appeal; nor shall it deprive our members of the right of trial by a committee of members of our Church, nor of an appeal.

§ 6. The General Conference shall not appropriate the produce of the Book Concern, nor of the Chartered Fund, to any purpose other than for the benefit of the Traveling, Supernumerary, and Superannuated[1] Preachers, their wives, widows, and children.

[1] Elsewhere designated as "Retired" Ministers.

ARTICLE XI. *Amendments*

The concurrent recommendation of two-thirds of all the members of the several Annual Conferences present and voting, and of two-thirds of all the members of the Lay Electoral Conferences present and voting, shall suffice to authorize the next ensuing General Conference by a two-thirds vote to alter or amend any of the provisions of this Constitution excepting Article X, § 1; and also, whenever such alteration or amendment shall have been first recommended by a General Conference by a two-thirds vote, then so soon as two-thirds of all the members of the several Annual Conferences present and voting, and two-thirds of all the members of the Lay Electoral Conferences present and voting, shall have concurred therein, such alteration or amendment shall take effect; and the result of the vote shall be announced by the General Superintendents.*

There are things which the General Conference can do and things it cannot do.

The first restriction relates to matters of doctrine, and protects the Articles of Religion and the Standards of Doctrine, and says: "The General Conference shall not revoke, alter, nor change our Articles of Religion, nor establish any new standards or rules of doctrine contrary to our present existing and established standards of doctrine."

That means that the Church has doctrines, and has "standards or rules of doctrine," besides the "Articles of Religion," and, as this statement was made in, and by the General Conference of 1808, "the present existing and established standards

* Book of Discipline, Contitution, Articles X and XI.

of doctrine," mean those that in 1808 were existing and established. This restriction puts it beyond power of the General Conference to "establish any new standards" in any way or in any form.

So important was this deemed to be that the Constitution prevents the first restriction being amended as the other restrictions may be constitutionally amended. So the provision for amendments says: "to alter or amend any of the provisions of this Constitution excepting Article X, § 1," which is the restriction on changing the Articles of Religion, and making "new standards or rules of doctrine."*

The third limitation relates to the episcopacy:

"The General Conference shall not alter any part or rule of our government so as to do away episcopacy, nor destroy the plan of our itinerant General Superintendency, but may elect a missionary bishop or superintendent for any of our foreign missions, limiting his episcopal jurisdiction to the same respectively."

The General Conference cannot "do away episcopacy." That is to say it cannot make the Church a non-episcopal Church or make it any other kind of a Church. It must always have a bishop or bishops.

Further, it cannot "destroy the plan of our itinerant General Superintendency." The Church has its own particular "plan" of episcopacy, and that cannot be destroyed by the General Conference, in whole or in part, and that is "the plan"

* Constitution Article X, § 1, and Article XI.

which the Church had in 1808, which required an episcopacy which was not localized but general, in which the bishop or General Superintendent was not fixed in a part of the Church, but was an itinerant throughout the whole episcopal field for which he was elected, the General Superintendent Bishop for the United States generally, and the Missionary Bishop later, for his foreign missionary jurisdiction.

The plan of the episcopacy as it came down into the General Conference of 1808, was the episcopacy that was incorporated in the written Constitution adopted in 1808, and that plan was carried on in the revised Constitution, and the Constitution has always placed the episcopacy and its "plan" beyond the legal power of the delegated General Conference either to destroy, or change the episcopacy or its plan in whole or part, whether the change be in any way in the wording of the Constitution, or in "any part or rule of our government" in the Book of Discipline, or by any General Conference regulation, or any modification in practice with or without any change in the phrasing of the law.

The Church should scrutinize any modifications in this episcopal plan no matter by whom made, and, if there is any infringement of the plan, at once demand conformity to "the plan of our itinerant General Superintendency," and there is no better time for such an examination than now. Do we now have the old "plan of our itinerant General Superintendency?"

Whatever the bishops could do in the early years of the Church, and down into 1808, they have had

a right to do ever since, and have the same right now, for the Church fixed them in its Constitution. They were in "the plan," and still are in "the plan."

It is, therefore, proper to inquire what the bishops did and could do in that early period. A few points may be suggested.

The bishops were joint superintendents, so they consulted about and arranged their work, and one bishop was equal to any other bishop. They were not localized, but traveled at large throughout the connection, overseeing and carrying on the work which inhered in their episcopacy, one item of which was fixing the appointments of the preachers. They had great latitude, and each bishop lived where he desired, and according to his best judgment, and the General Conference, even when it was an all-powerful General Conference, composed of the body of the ministry, never fixed the residence of a bishop or localized his work.

The bishops were a class by themselves, elected to be such and consecrated to their sacred work, which was to be religious as well as executive, and of and by themselves planned and directed their episcopal operations.

That there has been a disposition on the part of some, to change these things, and to violate the fundamental and constitutional plan of the episcopacy, is feared and believed by many who observe the signs, and have studied the history and the organic law of the Church.

In the General Conference these destructive tendencies can be checked and defeated.

Under the law the delegated General Conference

can "make rules and regulations for the Church," but it cannot modify the old "plan" of its episcopacy, for this is prohibited by the constitutional "limitations and restrictions" of Article X of the Church Constitution. That the conference can quote to those who would make reckless changes.

The plan of the episcopacy was developed by Wesley and came into the Methodist Episcopal Church at its beginning, then, steadily maturing, was taken into the written Constitution of 1808. It continued in practice, as well as in the organic law, and never was abrogated, or outlawed by time, and in the revised Constitution of 1900 was readopted in the very same form of words, and so is not an antique but a very recent part of a very modern Constitution, it stands as the legal episcopacy of the present time, while yet it is "the plan" the Church has always had, protected and to be protected, by the Constitution of the Church from the General Conference, just as the Nation is protected from possible acts of the National Congress by the Constitution of the United States of America.

Before passing from the relation of the General Conference to the Constitution and the law, it will not be out of place to make a brief reference to the book usually spoken of as "The Discipline."

It is regarded as a law book containing the laws of the Methodist Episcopal Church, but it is more than a book of laws. It contains a variety of contents, though it is commonly called the Book of Discipline.

Many who take up the little black book, bear-

ing on the outside the title: "Discipline of the Methodist Church—1920," fail to notice that on the title page it is called : "Doctrines and Discipline of the Methodist Episcopal Church—1920."

It is, therefore, more than a Book of Discipline, or a collection of "rules and regulations." It, for example, contains presentations of doctrine in the Articles of Religion, the Apostles' Creek, and the various ritual services.

The Book of Discipline contains many laws but the laws differ in nature and in force, while much that is now bound up with the discipline is not strictly discipline at all, and does not have the standing of discipline, so that all the contents are not equally law, or laws of equal grade, and a distinction must be made between them.

The most forceful part is at the beginning. Here there is a section composed of twenty-two pages and entitled: "The Constitution of the Methodist Episcopal Church," and this consists of three divisions: "Division I, Articles of Religion;" "Division II, The General Rules," and "Division III, Articles of Organization and Government," the latter referring particularly to the General Conference, and the preamble recites that these constitute "the fundamental law or Constitution of the Methodist Episcopal Church," namely, "the Articles of Religion, the General Rules, and the Articles of Organization and Government."

These divisions compose the written Constitution, or organic law, of the Church, which is the fundamental, and yet, the highest law of the Church, which dominates all the other laws of the denomination.

This is followed by what is labeled: "Legislation,"

which is really the body of the Book of Discipline. It contains the Statute Law of the Church, and, generally speaking, may be changed by the General Conference, except where some constitutional principle prevents, as, for example, where the Constitution prohibits the General Conference from changing or altering "any part of the rule of our government so as to do away episcopacy," or "destroy the plan of our itinerant General Superintendency," or, where the change or assertion would affect doctrines or doctrinal standards, as might be the case particularly in the ritual, for the General Conference cannot change doctrines directly or indirectly.

Certainly it would seem that the General Conference that has no right to make doctrines for the Church, has, consequently, no right to change or alter the Apostles' Creed or the ritual of the Church, or to modify them so as to qualify, or contradict, the Articles of Religion, or other "standards of doctrine."

The original ritual, of which the present is the direct descendent, was prepared by Wesley and adopted by the Organizing Conference of 1784, with his Service Book called the "Sunday Service," etc., and used by the Church.

The General Conference itself, in 1884, distinctly declared that of itself it had not any right to meddle with the doctrines of the Church. It then said: "We do not deem it to be within the province of the General Conference to give specific and authoritative deliverance upon any one of the fundamental doctrines of our Church."*

* General Conference Journal, 1884, p. 313.

If it cannot do that, it cannot modify the doctrinal statements.

Years ago the bishops ruled that the ritual was a part of the "established standards of doctrine." They said: "In cases of trial under Dis., ¶¶ 219, 226, 241, it is the judgment of the bishops that the first fifty-three sermons in the standard edition of Mr. Wesley's works and his 'Notes on the New Testament' should, together with the Articles of Religion and the ritual, be recognized as 'established standards of doctrine.' "*

That still stands, and, the ritual being one of the "established standards of doctrine," the General Conference is prohibited by the Constitution from changing it, or the Apostles' Creed, which is in the ritual.

The subject has been considered with much care in the Methodist Episcopal Church, South, and some years ago a commission appointed by a General Conference to study changes that had appeared in the formularies of that Church, reported that the General Conference had no right to change the formularies, and, referring particularly to the ritual, recommended that changes made by its General Conferences be corrected and the ritual be restored to its original form.

Through the years different parts of the discipline have been shifted here and there by the editors, and at this late day it would seem possible to find a better, or more suggestive, place for the ritual, so that its nature should stand out more clearly from the miscellaneous matter by which it is surrounded.

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* Rulings by the bishops.

After the body of the discipline one finds another division made up of a multitude of odds and ends, which are more or less valuable, but they are no part of the Book of Discipline. However, they are made up into a sort of added department called the "Appendix." A long time ago the distinction was more marked, but recently the items are numbered continuously after the last number in the discipline. That gives the misleading idea that the "Appendix" is discipline. The distinction would be more evident if the items in this section had their own numbering from one on to the last, for they are not discipline and should not be quoted as such. They merely form an appendix, which is printed and bound with the discipline as a matter of convenience. It is necessary that these distinctions be borne in mind.

CHAPTER VI

THE PRESIDING ELDERSHIP

Elder, or presbyter, belonged to the nomenclature of the Church from the moment the new Church was organized, and before that both names were thoroughly well understood in the societies long before their reorganization into a church.

Presiding elders were different from the preachers who were merely in elders' orders. It has been commonly assumed that the title "presiding elder" was not used until 1792, but the title was used in "The Council," which preceded the formation of the Quadrennial General Conference of 1792 by two to three years.

The plan of The Council said: "Our bishops and presiding elders shall be the members of this Council," and the minutes of the first session of The Council, held on the first day of December, 1789," said: "The proceedings of the bishop and presiding elders of the Methodist Episcopal Church, in Council assembled at Baltimore, etc.," and the presumption is that the title was in use prior to that.

The title presiding elder tells its own story. The officer was a minister in elder's orders, and he performed the work of presiding. The preachers were divided into groups according to the geographical location of their work, and the presiding elder had charge of the preachers on his district, and presided over the Quarterly Confer-

ence, meeting once in three months, which was composed of preachers and lay officials of various ranks.

The work of the presiding elder was supervisional, and, as the bishop traveled in his greater field, so the presiding elder traveled at large through his district, which was not a group of churches scattered here and there through the annual conference, but one of the territorial sections of the annual conference, there being just as many of these territorial divisions as covered the conference, and, in his division of the territory, the presiding elder visited the preachers and their pastoral charges, observing their conditions, studying the progress of the work, and advising and stimulating both preachers and people.

The presiding eldership was closely associated with the episcopacy, for the presiding elders were selected and appointed by the bishop, and their work was akin to the work of the bishop, in that they studied the preachers and their charges, and considered what assignments of preachers would be of advantage to the work, both generally and specially, and, in this, the presiding elder was actually the aide, assistant, and agent of the bishop, and the link between the preachers and people on the one hand, and the bishop presiding on the other, reporting to the bishop in regard to the pastors, the charges, and conditions of the work.

The presiding elder was actually the assistant to the bishop in his episcopal work, though not always appointed by the bishop actually presiding at a given conference. Indeed, in a stretch of many years, the presiding elder at the time of the

annual conference session, was seldom the appointee of the bishop who presided and made the appointments of the preachers in a given year, and that made for the personal freedom of the presiding elder in the discharge of his duties, and had a similar effect upon the presiding bishop.

So the presiding elder was the assistant of the presiding bishop, and gave him detailed information as to the qualities of the ministers and the needs of the Churches, but the bishop was not restricted to this source of information. He was at liberty to secure further information from the preachers and from the lay members, or from any one who had it to give, and frequently information came from outside the cabinet, and often the various sources of information proved to be checks upon each other, corrected each other, and made for equitable decisions.

In the nature of the economy of an itinerant Church, such an office as the presiding eldership is absolutely essential, furnishing the bishop as it does, both facts and suggestions, and taking away what might appear as the autocracy of one man, and giving what may be the result of intelligent and wise plans worked out by the preachers' brethren through the counsel and representations of their own brethren on the districts, while at the same time it gave a direct and continuous local oversight of a most invaluable character.

Because of this relationship of the presiding eldership to the episcopacy, and the part of this office in the supervision of the Church, it has always been regarded as part of the episcopacy, and, because he is the assistant to the bishop, the

presiding elder has always been appointed by the presiding bishop. He is the staff officer of the bishop and, like the pastor, is subject to appointment each year.

At various times the office has been the subject of controversy. There was considerable discussion in the first Quadrennial General Conference but, though it was around James O'Kelley, an outstanding man of great power, it was not on the presiding eldership, though he was a presiding elder. O'Kelley's contention was about another matter, namely, the right of a preacher, who was dissatisfied with his assignment by the bishop, to appeal from his appointment to his annual conference, "and state his objections; and if the conference approve his objections, the bishop shall appoint him to another circuit."

This did not mean that the conference could give the preacher an appointment or to take from the bishop the power to make the appointments, but to compel the bishop to change an appointment under special circumstances. The appointing power was left with the bishop in form and fact, but it was an interference with appointments the bishop had made, and there was the possibility of sustaining such appeals so that the interferences would throw the bishop's appointments into utter confusion.

It was not pretended that the conference could or should make even this exceptional adjustment, and there was no thought that the fixing of the appointments should not continue with the bishop, but nevertheless, if the proposition had prevailed the probable result would have been much confu-

sion without any diminution of the dissatisfaction, and the humiliation of the preacher might have been worse than the unsatisfactory appointment. The conference, however, defeated the proposition and the power of appointment has always remained with the presiding bishop.

James O'Kelley was an able preacher and an exceedingly influential man, and, disappointed by the action of the conference he left it, withdrew from the Methodist Episcopal Church, and started independent work in Virginia. The historians have generally said that his operations soon ceased and his work perished, but that is a mistake for remains of his work, with preachers and people, still exist.

Mr. O'Kelley has been pointed out as an illustration of the error, and evil, of an unlimited presiding eldership, for he had been a presiding elder, and in the same section, ever since the Church had been organized, and it was said that by his continuance in office so long he had secured great personal influence, and gathered a great following.

However, the General Conference of 1792, decided that the bishop should continue to appoint a presiding elder annually, and the presiding elder could not be continued for more than four years. This did not mean a term of four years, but the annual appointment was limited to not more than four years on the same district.*

In the early years of the Church no question seems to have been raised in regard to the presid-

* Book of Discipline, 1792, Section V, Quest. 4. Also the reconstructed Journal of the General Conference of 1792, reconstructed by Dr. Thomas B. Neely, Book Concern, New York, pp. 6, 7.

ing eldership, excepting that raised in 1792, as to the term of service, when a limit of four years was placed upon the incumbent of the office, on a district, but there seems to have been complete satisfaction with the office as an important part of the system, and so it went on for nearly a quarter of a century. To the Church of that time the presiding elder probably seemed very similar to Wesley's assistant or general assistant, for the presiding elder was the assistant for the bishop, and, in a degree represented him in his absence.

Some question, however, seems to have arisen as the Church approached the year 1808, about the same time the creation of a delegated General Conference was in mind. About that time it would seem that some were thinking over the proposition for the annual conference to select its presiding elders either directly or on nomination, and the matter may have been talked over in private before there was a movement to take formal and official action.

Certainly it was in mind while the General Conference of 1808 was in session, and the body was preparing to construct a delegated General Conference, and in view of that was considering the adoption of a written Constitution for the Church, and, particularly, for the control of this new, and untried, kind of General Conference.

This new General Conference was to make a very radical change in this governmental agency of the Church. It meant the suspension of the plenary, or plenipotent, Quadrennial General Conference made up of the sovereign body of the ministry in the annual conferences, and the substitu-

tion as the law-making body of a less powerful General Conference composed of delegates from the annual conferences, and, therefore, there was great concern as to the proper formulation of the written Constitution.

While the General Conference of 1808 was debating the question of the new Constitution, with the two sides represented by Ezekiel Cooper and Joshua Soule, like two giants pitted against each other, Ezekiel Cooper interrupted the discussion and moved "to postpone the present question (namely, the Constitution), to make room for the consideration of a new resolution as preparatory to the minds of the brethren to determine on the present subject," that is to say, the formation and adoption of the written Constitution for the Church.

Having been granted permission, Ezekiel Cooper then moved the following: "That in the fifth section of the *Discipline,* after the question, 'By whom shall the presiding elders be chosen?' the answer shall be: '*Ans.* Each annual conference respectively, without debate, shall annually choose by ballot, its own presiding elders.' "*

Ezekiel Cooper was a shrewd and able man, and knew that if he wanted a vote on the elective presiding eldership, he must get his resolution before the conference prior to the adoption of the proposed Constitution, for he must have perceived that if he waited until after the Constitution was

* General Conference Journal, 1808, vol. I, p. 83. Dr. Thomas B. Neely's "History of the Governing Conference in Methodism," Methodist Book Concern, New York, 1892, pp. 353, 354.

adopted, the General Conference would have no power to amend the Discipline in that way. The new Constitution if adopted by the sovereign General Conference of 1808, would embrace "the plan" of the episcopacy as it was at that time, which plan regarded the presiding elders as appointees of the bishops and the presiding eldership as a part of the episcopacy. With the old presiding eldership thus continued in the written Constitution under "the plan," the new kind of General Conference could not change the nature of the presiding eldership under a motion. But getting the mode of making the presiding elders changed before the new Constitution was adopted would have prevented the old method being carried over, and, therefore, Ezekiel Cooper secured the suspension of the consideration of the Constitution and tried to make the presiding elders elective.

The proposition to so amend the Discipline was discussed during the afternoon of the day it was offered until the adjournment, and then was debated less formally, or privately, in the evening. The next morning, Joshua Soule moved to take the vote "on the motion of electing presiding elders, without further debate." When put to vote this motion for closure was lost, and the discussion proceeded for several hours longer. Then it was ordered that the vote be taken, and on a ballot, the vote stood: for the election of presiding elders, fifty-two; and against the election of presiding elders, seventy-three; and Ezekiel Cooper's amendment was defeated.

The question of the elective presiding eldership having been settled, the consideration of the Con-

stitution was resumed, and the first formal written Constitution for the Methodist Episcopal Church was framed and adopted.

By these actions the decision was to leave the presiding eldership as it was, and this left it as a part of the Episcopal plan, the presiding elder being the appointee of the presiding bishop, so that the office was held under "the plan of our itinerant General Superintendency," which the Constitution prohibited the delegated General Conference from changing either directly or indirectly, which prohibition was continued in the revised Constitution of 1900, so that the delegated General Conference has always been, and is now, without power to change the nature of the presiding eldership, or district superintendency.

It was not long, however, before the agitation on the presiding question was renewed. In the General Conference of 1812, the first delegated General Conference, an attempt was made to make the presiding elder's office elective, but it was defeated by a close vote. Perhaps it was thought that the different composition of the new General Conference would be more favorable.

In the General Conference of 1816, another effort was made to secure an elective presiding eldership, the bishop having the right to nominate persons for the office, and the annual conference having the right to elect from those nominated for the office.

The movement began early in the conference, and on Tuesday afternoon, the 7th of May, Samuel Merwin moved the following:

1st Question. "How shall the presiding elders be chosen and appointed?" the answer shall read:

"At an early period in each annual conference the bishop shall nominate a person for each district that is to be supplied, and the conference shall, without debate, proceed in the choice, the person nominated being absent; and if the person nominated be not chosen according to the nomination, the bishop shall nominate two others, one of whom it shall be the duty of the conference to choose."

2d Question. "By whom shall the preachers be appointed to their stations?"

"*Answer.* By the bishop, with advice and counsel of the presiding elders."

On motion this was "ordered to lie on the table."*

On Wednesday afternoon, the motion of Samuel Merwin was called up, and the question was divided. As the first part of the resolution was taken under consideration, S. G. Roszel, of the Baltimore Conference, "moved, from certain delicacies connected with the motion, that the conference resolve itself into a committee of the whole." Then Bishop McKendree called Freeborn Garrettson to the chair, and he "retired from it."

After some consideration the committee of the whole rose and reported progress, and was granted leave to sit again. On Thursday afternoon the conference resolved itself into a committee of the whole, Philip Bruce being called to the chair, and the committee considered the Merwin resolution. This was reported on Friday, with George Picker-

* General Conference Journal of 1816, p. 135.

ing in the chair. On Saturday morning the conference as a committee sat again, and Philip Bruce occupied the chair. In this session Nathan Bangs submitted as an amendment the following:

"*Quest.* How are the presiding Elders chosen and appointed?"

"*Ans.* The bishop, at an early period of the annual conference, shall nominate for each district, and the conference shall, without debate, either confirm or reject such nomination. If the person or persons so nominated be not elected by the conference, the bishop shall nominate two others for each of the vacant districts, one of whom shall be chosen. And the presiding elder so elected and appointed shall remain in office four years, unless dismissed by the mutual consent of the bishop, and conference, or elected to some other office by the General Conference. But no presiding elder shall be removed from office during the term of four years without his consent, unless the reasons for such removal be stated to him in the presence of the conference, which shall decide, without debate, on his case."*

This amendment was accepted, or, as the record states, "admitted by the original mover," Samuel Merwin, but before reaching a vote, the committee arose. On the afternoon of that Saturday the consideration was renewed, "and after considerable debate the vote was taken and it was lost—forty-two in favor, and sixty against it."

The committee of the whole then rose and reported to the conference, whereupon John Emory moved "that the amendment admitted by the original mover be struck out after the words 'one

* General Conference Journal, 1816, p. 140.

of whom shall be chosen,'" but the motion was lost. Before a vote was reached on the amended proposition the conference adjourned until Monday. On Monday morning the subject was resumed and the debate continued. A motion to divide the the question was ruled out of order, and Daniel Ostrander appealed from the decision of the chair, but the chair was sustained by a vote of fifty-one to forty-eight. Then the vote was taken on "the first part of the main question, which was the amendment by Nathan Bangs, and the count showed thirty-eight in favor and sixty-three against, so that the proposition for the election of presiding elders on nomination by the bishop was overwhelmingly defeated, and a growing opposition was manifested.

On Monday afternoon the second part of Samuel Merwin's resolution was taken up. This read: "2d. By whom shall the preachers be appointed to their stations? *Answer.* By the bishop, with the advice and counsel of the presiding elders." H. Judge moved to amend the answer by striking out the words "and counsel," but the motion was lost. Then the conference proceeded to vote on "the second part of the motion," and, this likewise was lost. So the delegates refused to favor anything that would seem to modify the bishop's authority in the appointment of the presiding elders or the preachers generally.*

It is very evident that in the debate on the elective presiding eldership that the constitutionality of electing presiding elders was challenged, and

* General Conference Journal, 1816, p. 141.

that, to meet this, Samuel Merwin, on the twenty-second of May, 1816, offered the following:

"*Resolved,* by the delegates of the several annual conferences in General Conference assembled, That the motion relative to the election and appointment of presiding elders is not contrary to the Constitution of our Church."

This the conference disposed of very quickly. Stephen G. Roszel, of the Baltimore Conference, at once moved an indefinite postponement, but the previous question was called for on the main question, and, on the vote on the main question, Samuel Merwin's resolution "was lost," showing that the General Conference would not affirm that the election of presiding elders was in harmony with the Constitution of the Church. Thus the advocates of the election of presiding elders were defeated at every point.

The General Conference of 1820 was a very notable conference. On the 12th of May, the General Conference decided to elect "one additional General Superintendent," and the next day the election took place. There were "three scattering votes" and eighty-eight votes were cast. That required forty-five votes to elect. Joshua Soule, at that time Book Agent, received forty-seven votes, just two more than were requisite, and Nathan Bangs received thirty-eight, and "Joshua Soule was declared duly elected to the office of a bishop."*

Soule was opposed to an elective presiding eldership, and, at that time, Nathan Bangs favored it, and these facts probably had something to do with

* General Conference Journal, 1820, p. 205.

the voting for the bishop. Certainly the question of electing presiding elders had a very conspicuous place in the General Conference of 1820.

Three days after the election of Joshua Soule the Journal has this entry: "Moved and seconded to call up the resolution that had been laid on the table relating to the choice of presiding elders. Carried." The Journal does not state the facts but from certain papers of William Capers, it would appear that prior to the above entry, that Timothy Merritt, of New England, and Beverly Waugh, of Baltimore, had introduced a motion on the election of presiding elders.*

On Tuesday afternoon, May 16th, the question referred to in the Journal was taken up and discussed by a number up to the time of the adjournment which was "three minutes before six o'clock." The subject was debated the next morning and the next afternoon, and on Wednesday afternoon, the 17th, Ezekiel Cooper and John Emory presented the following:

"*Resolved,* etc., That the bishop, or the president of each annual conference, shall ascertain the number of presiding elders wanted, and shall nominate three times the number, out of which nomination the conference shall, without debate, elect by ballot the presiding elders."

On Thursday morning, the 18th day of May, a new turn was given to the discussion by the following resolution presented by Nathan Bangs and William Capers: "That three of the members who

* John J. Tigert, D.D.: "Constitutional History of American Episcopal Methodism," Nashville, 1894, p. 338.

desire an election of the presiding elders, and an equal number of those opposed to any change of our present plan be appointed a committee to confer with the bishops, and the bishop elect upon that subject, and that they report to us whether any, and if any, what alteration might be made to conciliate the wishes of the brethren upon this subject, and that they report tomorrow."

An attempt was made to strike out "the bishops and the bishop elect," but that failed. Then they succeeded in striking out "the bishop elect by a vote of forty to thirty-seven," and the resolution prevailed.

Bishop George appointed the committee, naming Cooper, Emory and Bangs, who favored a change, and Roszel, Wells and Capers, who were opposed to any change in the existing plan.

On Friday, after the noon adjournment, Bishop George invited the committee to meet him. He had thought the two sides could not be harmonized but in the interview with the committee, the bishop set forth his "accommodating plan," and they agreed to present a report drawn up by John Emory. This was presented on the afternoon of that day, Friday, the 19th of May, which report read as follows:

"The committee appointed to confer with the bishops on a plan to conciliate the wishes of the brethren on the subject of choosing presiding elders, recommend to the conference the adoption of the following resolutions, to be inserted in their proper place in our Discipline:

"*Resolved,* etc., 1. That whenever, in any annual conference, there shall be a vacancy or vacan-

cies in the office of presiding elder, in consequence of his period of service of four years having expired, or the bishop wishing to remove any presiding elder, in consequence of his period of service of four years having expired, or the bishop wishing to remove any presiding elder, or by death, resignation, or otherwise, the bishop or president of the conference, having ascertained the number wanted from any of these causes, shall nominate three times the number, out of which the conference shall elect by ballot, without debate, the number wanted: *Provided,* when there is more than one wanted not more than three at a time shall be nominated, nor more than one at a time elected: *Provided, also,* that in case of any vacancy or vacancies in the office of presiding elder in the interval of any annual conference, the bishop shall have authority to fill the said vacancy or vacancies until the ensuing annual conference.

"*Resolved,* etc., 2. That the presiding elders be, and hereby are, made the advisory counsel of the bishop or president of the conference in stationing the preachers.

"Signed, Ezekiel Cooper, Stephen G. Roszel, N. Bangs, J. Wells, J. Emory, Wm. Capers."

It was moved to adopt the report, and "The first resolution being read, the question was taken on it and carried—sixty-one to twenty-five," and then "the second resolution as amended with the consent of the committee," was carried.

Everything seemed serene and satisfactory but everything was not as serene as it seemed to be. The conciliatory report looks like one of those pious compromises for the sake of peace and harmony that in the end satisfies nobody. The record shows that immediately after the final vote on the

report, "Brother Joshua Soule requested leave of absence for the afternoon," and the request was granted.

The bishop-elect evidently wanted time for seclusion and reflection, and doubtless, for meditation and prayer. At least we know that he wrote the following letter and addressed it to Bishop George and Bishop Roberts:

"Dear Bishops:—In consequence of an act of the General Conference, passed this day, in which I conceive the Constitution of the Methodist Episcopal Church is violated, and that Episcopal government which has heretofore distinguished her greatly enervated, by a transfer of executive power from the Episcopacy to the several Annual Conferences, it becomes my duty to notify you from the imposition of whose hands only I can be qualified for the office of Superintendent, that under the existing state of things *I cannot, consistently with my convictions of propriety and obligation, enter upon the work of an itinerant General Superintendent.*

"I was elected under the *Constitution and government of the Methodist Episcopal Church UNIMPAIRED.* On no other consideration but that of their *continuance* would I have consented to be considered a candidate for a relation in which were incorporated such arduous labors and awful responsibilities.

"I do not feel myself at liberty to wrest myself from your hands, as the act of the General Conference has placed me in them; but *I solemnly declare, and could appeal to the Searcher of hearts for the sincerity of my intentions, that I cannot act as Superintendent under the rules this day made and established by the General Conference.*

"With this open and undisguised declaration before you, your wisdom will dictate the course proper to be pursued.

"I ardently desire peace, and if it will lend to promote it, am willing—perfectly willing—that my name should rest in forgetfulness.

"I remain, with sentiments of unfeigned affection and esteem, your son and servant in the Gospel of Christ.

"JOSHUA SOULE.

"Baltimore, May 18, 1820."*

(It would seem that May 18 was an error, and that the right date was May 19.)

Bishop Roberts thought that the bishop-elect did not seem disposed to submit to the authority of the General Conference, but Bishop McKendree doubted whether such a sentiment was expressed in the letter. In view of this question the bishop-elect wrote upon the back of his letter the following postscript:

"P. S.—At the special request of Bishop McKendree, I hereby certify that in the above statement I mean no more than that I cannot, consistently with my views of propriety and responsibility, administer that part of the government particularly embraced in the act of the General Conference above mentioned.

"JOSHUA SOULE."†

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* Bishop Robert Paine, D.D.: "Life and Times of Bishop William McKendree,'" Nashville, 1869. One volume edition, 1885, pp. 314, 315.

† Bishop Robert Paine, D.D.: "Life of Bishop William McKendree," Nashville, 1869. One vol., p. 317.

Dr. John J. Tigert: "Constitutional History of American Episcopal Methodism," Nashville, 1894, p. 341.

Bishop Paine, of the Methodist Episcopal Church, South, in his "Life of Bishop McKendree," has given a summary of his views on the action of the General Conference of 1820 on the elective presiding eldership, which is worth quoting. He says that by the sovereign General Conference, "the bishops were made amenable to the General Conference for their conduct as General Superintendents for the spiritual and temporal business of the Church. To discharge the duties assigned them, and stand justly amenable as overseers, they are authorized to choose the presiding elders, to appoint the preachers to their work, 'and, in the intervals of the conference, to change,'" etc. But the delegated conference, by these resolutions (of 1820), attempted:

"1. To divest the bishops of a power which they held by the same authority which created that body and conferred its powers.

"2. To invest the bishops with power to nominate persons for presiding elders.

"3. To invest the annual conferences with power to elect presiding elders—all of which are unknown to our Form of Discipline, to the Constitution of the Church, and to Episcopal Methodism.

"It follows, from our view of this subject:

"1. That by the same authority by which the conferences divest the bishops of the right of choosing the presiding elders, they may deprive the preachers and members of their rights of trial and appeal, etc., and of any of their privileges as members of the Methodist Episcopal Church.

"2. As the General Conference assumed the power to give the bishops the right to nominate, and the annual conferences the authority to elect,

the presiding elders, they might take away what they had conferred, and thereby paralyze the itinerant system.

"3. As the bishops alone are responsible to the General Conference, and as the power to perform their duties consists mainly in appointing and changing the preachers, this resolution would deprive the General Conference of the power of carrying their own 'rules and regulations' into effect, because they could not justly hold the bishops accountable for the work after having divested them of the power to perform it.

"4. It manifestly appeared to be an act of usurped authority, likely to involve a train of alarming consequences."*

Soule's expressed opinion as to the unconstitutionality of the action of the General Conference of 1820 was entitled to great respect, for he himself was an authority of the highest rank on that very subject. No one could be said to know and understand the Constitution of the Methodist Episcopal Church better than he. He was present only twelve years before in the General Conference of 1808, when that body suspended consideration of its work on the new Constitution in order to discuss and settle the right of the bishops to appoint presiding elders, and they settled it as it had been from the beginning and put on it the seal of the new Constitution, perpetuating it under the Constitution, and by the Constitution prohibiting the General Conference from changing that decision. What is more, Joshua Soule had more to do in making the Constitution than any other man. If

* Bishop Robert Paine, D.D.: "Life of William McKendree," Nashville. One vol. ed., pp. 312-314.

he did not know the meaning of the Constitution and, particularly this authority of the bishops, no one knew. He spoke by authority.

With the question raised, the bishops realized that it was their duty and right to give the matter consideration and to make a deliverance. So the bishops met early in the morning of Tuesday, May twenty-third, and gave the matter a most serious examination. Fortunately, the Church has some first-hand information as to what transpired at that private conference, and that is contained in Bishop McKendree's Journal and in his own handwriting.

In his Journal Bishop McKendree says: "The bishops met early next morning, and the communication (from bishop-elect Soule) was attentively considered. It appeared that the difficulties of the bishop-elect rested entirely upon the question of the constitutionality of the resolutions; and it was proposed for the bishops to express their opinions on their constitutionality. Bishop Roberts was of the opinion that the resolutions of the conference were an infringement of the Constitution. Bishop George chose to be silent. The Senior Bishop (McKendree) considered them unconstitutional."*

There was no contrary expression or vote and so the decision was unanimous. In the judgment of the bishops, the action of the General Conference of 1820 in taking the appointing of presiding directly by the bishops, from the bishops, and con-

* Bishop Robert Paine, D.D.: "Life of Bishop McKendree," Nashville. One vol., p. 318.

ferring the power and duty on the annual conference to elect the presiding elders, was a violation of the Constitution of the Church.

The bishops then arranged for the consecration of the bishop-elect, and the Senior Bishop then suggested to the bishops the propriety of announcing to the General Conference the judgment of the bishops as to the questioned resolutions, namely, that they were unconstitutional, and to this the bishops agreed. As Bishop McKendree records the matter in his Journal: "The Senior Bishop then suggested the propriety of informing the conference of the state of things. Is was approved, and he was requested to make the communication."

It may strike one as singular that Joshua Soule, the bishop-elect, in his letter to the bishops, did not mention the Senior Bishop, but merely Bishop George and Bishop Roberts. The explanation seems to be that Bishop McKendree had gone into the country on account of his health, and was not in Baltimore. The same fact of absence seems to account for the delay in Bishop McKendree's receiving information as to the action of the General Conference.

When Bishop McKendree learned the situation he wrote out his views, the day before the bishops had their consultation, "intending, at a suitable time, to read it to the conference. This is the letter:

"Baltimore, May 22, 1820.

"To the Bishops and General Conference, now in Session:

"On Saturday evening I received a copy of the

resolution which passed on the 19th instant, which, contrary to the established order of our Church, authorizes the Annual Conference to elect the Presiding Elders, and thereby transfers the executive authority from the General Superintendents to the Annual Conferences, and leaves the Bishops divested of their power to oversee the business under the full responsibility of General Superintendents. I extremely regret that you have, by this measure, reduced me to the painful necessity of pronouncing the resolution *unconstitutional, and, therefore, destitute of the proper authority of the Church.*

"While I am firmly bound, by virtue of my office, to see that all the rules are properly enforced, I am equally bound to prevent the imposition of that which is not properly rule. Under the influence of this sentiment, and considering the importance of the subject, I enter this *protest.*

"If the delegated conference has a right in one case to impose rules contrary to the Constitution which binds hundreds of preachers and thousands of members in Christian fellowship, and on which their own existence and the validity of their acts depend, why may not the same right exist in another? Why not in all cases? If the right of infringing the Constitution is admitted, what will secure the rights and privileges of preachers and people, together with the friends of the Church? If the Constitution cannot protect the executive authority, in vain may the moneyed institution and individual rights call for help from that source.

"Believing, as I do, that this resolution is unauthorized by the Constitution, and, therefore, not to be regarded as a rule of the Methodist Episcopal Church, I consider myself under no obligation to enforce or to enjoin it on others to do so.

"I present this as the expression of my attachment to the Constitution and government of the

Church, and of my sincere desire to preserve the rights and privileges of the whole body.

"Your worn-down and afflicted friend,

"W. McKENDREE."

The action of the bishops was prompt and decisive, and in the meeting of General Conference, on the very morning they had their consultation the matter was introduced, as the Journal shows that on the morning of Tuesday, May 23d, "The debate on the subject under consideration was suspended to allow Bishop McKendree to make a communication to the General Conference."*

In his Journal, Bishop McKendree states that: "When the president—Bishop Roberts—had called the attention of the conference, the Senior Bishop laid the case before them. The letter of the Bishop-elect to the bishops was read, the conclusion of the council of the bishops, and their resolution to ordain Brother Soule, were stated, as well as an intimation of their opinions respecting the constitutional difficulty. The sentiments of the bishop-elect having been prepared, and, with a little modification, having been read, he retired, and the conference resumed its business."

That Bishop McKendree expressed himself very plainly and fully, in his address to the General Conference is very evident, for he was a man of strong convictions, and had previously and unequivocally pronounced his judgment. There was his own letter addressed to the bishops and the General Conference, and there were his declara-

* General Conference Journal, 1820, p. 229.

tions in the meeting of the bishops that very morning, and, doubtless, he emphasized these in his general statement.

William Capers, of South Carolina, says: "Bishop McKendree came forward and stated his objections to the rule adopted, and had read in the conference a letter from Joshua Soule," and Mr. Emory says: "This was followed by a formal protest against the resolutions by one of the bishops."*

The consecration of the bishop-elect had been fixed for Wednesday, May 24th, at eleven o'clock, and there was no time to waste. Mr. Capers tells us that: "To the sentiments of Bishop McKendree and Mr. Soule, those in favor of a change took exceptions, held a caucus without consulting those not in favor of the change, and agreed to arrest the ordination of J. Soule."†

So that Tuesday afternoon, May 23d, D. Ostrander and James Smith offered the following:

"Whereas, Brother Joshua Soule, bishop-elect, has signified in his letter to the episcopacy, which letter was read in open conference, that if he be ordained bishop he will not hold himself bound to be governed by a certain resolution of this General Conference relative to the nomination and election of presiding elders; wherefore,

"*Resolved,* etc., That the bishops be earnestly requested by this conference to defer or postpone the ordination of the said Joshua Soule until he gives satisfactory explanations to this conference."‡

* Doctor Emory's "Life of Bishop Emory," p. 147.

† Bishop Robert Paine's "Life of Bishop McKendree," Nashville, I, 412.

‡ General Conference Journal, 1820, p. 230.

This, whereas, does not fairly or exactly recite what the bishop-elect had said. Joshua Soule did not say that he would not "hold himself bound by a certain resolution," but that he could not consistently with his convictions "enter upon the work of an itinerant General Superintendent."

Bishop McKendree tells in his Journal that:

"The bishop-elect was attacked in different ways, and sorely pressed. . . . For the General Conference thus to attack the Bishop-elect and for the president to suffer him to be pursued in this way, appeared to the Senior Bishop to be very unfair. The conference, by the vote of a respectable majority, had put him in hands of the Bishops for ordination. In this situation he certainly had a right to address a letter to the Bishops and when he was involved in difficulties by a subsequent act of the conference, he certainly acted an honorable part to inform them of his difficulties prior to his ordination, and thereby put it in their power to guard against future difficulties. For this letter and its contents, Brother Soule was accountable to the bishops, not to the conference. . . . The General Conference had a right to take exceptions, but they should have been directed against the Bishops, and not against the Bishop-elect, who was not accountable for this act, and was then under the protection of the Bishops, who were amenable to the conference for their official acts. For the conference to undertake to convince the bishops of an error in their determination to ordain the bishop-elect under existing circumstances, would have been proper; and as the Bishops had resolved to ordain him, it would have been better for the president to arrest proceedings against Brother Soule, and invited the attack upon themselves."*

* Bishop Robert Paine: "Life of Bishop McKendree," volume I, pp. 320, 321.

The General Conference Journal says: "After some debate, Brother Soule made some remarks." Probably he spoke to some effect, for immediately the record states that it was "Moved and seconded, that this resolution be indefinitely postponed." This did not reach a vote, and J. Collins and S. K. Hodges moved "to reconsider the question respecting the election of presiding elders," and at six o'clock P. M. the conference adjourned.*

It looked as though the conciliatory compromise pact was broken by the assertion that the resolution was unconstitutional and the formal decision of the bishops to the same effect. On Wednesday morning the question of reconsidering the action as to the election of presiding elders was discussed. As the time fixed for the consecration approached a delegate called attention to the fact that "it was now time to rise for that object," but the conference did not rise. The time was getting close and "five minutes before eleven o'clock Brother Joshua Soule rose and expressed a wish that the General Conference should by vote, request the episcopacy to delay his ordination for some time," but "no order was taken on the subject." "At eleven o'clock Bishop Roberts took the chair, and the debate went on on the motion for reconsideration," and the question was called for, "but, on counting the numbers, there was not a quorum" present, and then "Bishop George stated that the episcopacy had deferred the ordination of Brother Joshua Soule to some future period," and the "conference adjourned to meet at three o'clock."†

* General Conference Journal, 1820, p. 230.
† General Conference Journal, 1820, p. 231.

The question of reconsideration being resumed in the afternoon, it was moved that the "resolution for reconsideration lie on the table," in order that the conference "might go into a committee of the whole," but the motion was withdrawn, and a ballot vote on reconsideration of the pending resolution was ordered by a vote of forty-five to thirty-five, and "On counting the ballots there were forty-three yeas and forty-three nays. A second vote was taken, and, on counting, the votes were the same—forty-three to forty-three," and "The chair pronounced it not carried, inasmuch as there was not a majority."*

The next morning, Thursday, May 25th, in the midst of the business, "Bishop George informed the conference that the ordination of Brother Soule would take place at twelve o'clock today in this house," but immediately, "Brother Soule presented a communication in which he stated his resignation of the office of a bishop in the Methodist Episcopal Church, to which he had been elected," and, on motion, it was "ordered that the letter be laid on the table." In the afternoon, "At the opening of the conference Brother Joshua Soule expressed a wish that the conference would come to a decision on his letter of resignation, offered this morning," whereupon it was moved that he be requested to withdraw his resignation, but this motion was withdrawn, and it was agreed "that this conference do not express their decision on the subject before tomorrow morning."†

* Gen. Conf. Journal, 1820, pp. 231, 232.
† Gen. Conf. Journal, 1820, pp. 232, 234.

The next morning, which was Friday, May 26th, Edward Cannon and William M. Kennedy "Moved that the rule passed at this conference respecting the nomination and election of presiding elders be suspended until the next General Conference, and that the Superintendents be, and they are hereby directed to act under the old rule respecting the appointment of presiding elders."

It was moved that this resolution be indefinitely postponed. A question was raised as to whether the resolution was in order but the Chair ruled that it was. From the decision of the chair an appeal was taken, but the Chair was sustained. In the afternoon of that day, the resolution of the morning was taken upon and debated. On the question to indefinitely postpone, the vote was thirty-nine for to forty-four against, which seemed to be a gain for the side of Joshua Soule. Later, "The letter of Brother Soule to this General Conference, in which he tendered his resignation, being called for and read, it was moved and seconded that the conference accept the resignation," but this was withdrawn, and S. G. Roszel and Samuel K. Hodges "moved that Brother Soule be, and hereby is requested to withdraw his resignation, and comply with the wishes of his brethren in submitting to be ordained," and that was carried. Shortly afterward, Joshua Soule, "having come into conference, again stated his purpose to resign," and, after this insistence, "his resignation was accepted." This was late in the afternoon, and a little later the Journal records that, "Ten minutes after six o'clock Bishop Roberts took the chair," and it was after that time that the sus-

pension of the action on the nomination and election of presiding elders was put to vote, and "The question was taken on the motion by dividing the house—forty-five to thirty-five," which was a great victory for Soule, the bishops, and those who believed the act in question was unconstitutional.*

The result of the suspension of the act relating to the nomination and election of presiding elders was that the act was nullified for the quadrennium and the old law was restored, so that the bishops were "to act under the old rule respecting the appointment of presiding elders." The act of the conference was suspended and the law as it had been from the beginning was continued in force.

Bishop McKendree must have realized that he and those who had agreed with him and bishop-elect Soule, had won a decisive victory, not merely for themselves, but also for the Constitution of the Church, and the plan that had existed before the Constitution was adopted, but the Senior Bishop decided to clinch the matter by securing the decision of the body which was primarily the possessor of the sovereign power of the Church, namely, the body of the ministry in the annual conferences. This body had made and empowered the delegated General Conference, and limited the powers of the General Conference, and, at the same time had reserved to itself sovereign authority as to the Constitution itself, so that it could not be indifferent to the treatment the Constitution might receive at the hands of its delegated General Conference.

* Gen. Conf. Journal, 1820, pp. 236, 237.

Bishop McKendree understood these facts. He knew the primary location of the sovereign power in the body of the ministry in the annual conferences. He was an American and born before the Wesleyan Societies were formed in the Colonies, he was a volunteer soldier in the American army and reached official rank, he became a preacher and served under the early form of government, and he was a member of the Sovereign General Conference of 1808 and therein took part in the construction and adoption of the first written Constitution of the Methodist Episcopal Church, and therefore was thoroughly acquainted with the early Church and competent to pronounce an opinion as to the intention and meaning of the Constitution of the Church, and as to the relative readjustments brought about by that powerful document.

With this broad knowledge and experience Bishop McKendree determined to submit to the annual conferences the question as to the constitutionality of the act of the General Conference of 1820 on an elective presiding eldership, and he did so submit the question.

This shows that Bishop McKendree regarded the annual conferences as possessing scrutinizing and supervisory authority over the doings of the delegated General Conference.

In his Journal, Bishop McKendree tells us that: "The suspension of these resolutions opened the way for another effort to save the Constitution, to preserve the peace of the Church, and perpetuate the itinerant system—objects which in his estimation deserve every effort and sacrifice he can make. This was to lay the constitutionality of these reso-

lutions before the annual conferences as the only legitimate and supreme authority to decide in such cases.

"To this course he was providentially directed by a previous case in our administration. Under a provision in the Discipline, the bishops formed the Genesee Conference in 1809. In the Virginia Conference there was an objection to this act, being, as it was supposed, unconstitutional. The bishops submitted the question to the annual conferences. They acted upon it as a proper subject of their decision, and confirmed the act of the Bishops. By this act, the bishops and the annual conferences tacitly declared the annual conferences to be the proper judges of constitutional questions; and the Senior Bishop is fully persuaded that conformably to the genius of our government, all such cases as cannot be otherwise adjusted ought to be submitted to their decisions until otherwise provided for by the same authority on which the present General Conference depends for its existence.

"The Senior Bishop, in hope of succeeding in this good work, prepared an address to the annual conferences, the object of which was to obtain a decision on the constitutionality of the suspended resolutions. If the decision should be in their favor, they would go into operation as soon as might be; but if against them, he advised the annual conferences to give for the ensuing General Conference to introduce them conformally to the Constitution. This he did, not that he considered the change an improvement of the system of government, but because, in his opinion, the advocates of the measure had gone too far peaceably to return without this concession, and that a less efficient plan, properly managed, would answer a better purpose than a more effective one in the midst of confusion and contention."*

* Bishop Robert Paine: "Life of Bishop McKendree," Nashville. One vol., pp. 321-323.

The General Conference itself felt that something more should be done, and, on May 27, 1820, the following was presented and adopted:

"Whereas, a difference has arisen in the General Conference about the constitutionality of a certain resolution passed concerning the appointment of presiding elders; and whereas, there does not appear to be any proper tribunal to judge of and determine such a question; and whereas, it appears important to us that some course should be taken to determine this business, therefore

"*Resolved,* etc., That we will advise, and hereby do advise the several annual conferences to pass such resolutions as will enable the next General Conference so to alter the Constitution that whenever a resolution or motion which goes to alter any part of our Discipline is passed by the General Conference it shall be examined by the Superintendent or Superintendents, and if they, or a majority of them, shall judge it unconstitutional, they shall, within three days after its passage return it to the conference with their objections to it in writing. And whenever a resolution is so returned, the conference shall reconsider it, and if it pass by a majority of two-thirds it shall be constitutional and pass into a law, notwithstanding the objection of the Superintendents; and if it be not returned within three days, it shall be considered as not objected to and become a law."*

This is an interesting study and shows how the General Conference was changing, or had changed its mind, as to its power to decide questions as to constitutionality. It opened its proceedings with an assurance and an assertion of self-determination, but it now expresses its doubt, and confesses

* Gen. Conf. Journal, 1820, p. 238.

that "there does not appear to be any proper tribunal to judge of and determine such a question," and it appeals to the annual conferences, the superior authority to help it out of what it deems a difficult situation, and on this point admits that the body of the ministry in the annual conferences is the sovereign power. It is also an admission that the bishops properly have a right to consider and form an opinion as to the constitutionality of propositions submitted in the General Conference, and the body was willing to have this formally expressed in the organic law.

Bishop McKendree, the Senior Bishop, proceeded to submit to the Annual Conferences the question as to the constitutionality of the act of the General Conference of 1820 as to the election of presiding elders. In doing so he prepared an address which set forth his views on the subject, and he addressed it "To the Annual Conferences of the Methodist Episcopal Church, commencing with the Ohio Conference, to be held in Lebanon, September 6, 1821." To them he took his appeal.

In this address, among other things, he said: "For a number of years a respectable minority in our General Conference have been endeavoring to divest the Bishops of the power of choosing the Presiding Elders, and of stationing the preachers. They wish to change our present form of government so as to invest the Annual Conferences with the power of choosing the Presiding Elders, instead of their being appointed by the Bishops, and then to transfer the power of stationing the preachers from the Bishops to the Presiding Elders. But this

change, in the opinion of your Superintendent, would radically affect our system of government in several ways.

"1. It would effectually transfer the executive authority from the Bishops to the Annual Conferences, and thereby do away with that form of Episcopacy and itinerant general superintendency which is recognized in our Form of Discipline, and confirmed in the third Article of the Constitution.

"2. By doing away with the present effective general superintendency, our itinerant plan of preaching the gospel would be greatly injured, if not entirely destroyed.

"3. In point of law, it would effectually divest the members of our Church of all constitutional security for their rights, and reduce them to the necessity of depending entirely on the wisdom and goodness of the General Conference for those inestimable blessings. . . .

"According to our system of government, it is the duty of the Bishops 'to travel through the connection at large, to *oversee* the spiritual and temporal business of the Church.' But to oversee, or superintend, implies power to overrule, or manage business officially. In order, therefore, to qualify the Bishops to oversee the important business committed to their charge, and to carry our system of rules into complete effect, they are authorized 'to preside in the Conferences;' 'to fix the appointments of the preachers for the several circuits;' 'to form Districts, and choose the Presiding Elders; and, in the intervals of the Conferences, to change, receive and suspend preachers, as necessity may require and the Discipline directs.' And, in order to secure a faithful performance of their duty, and, at the same time, guard against an abuse of power, the Bishops are obliged to act in strict conformity to rules formed by the preachers over whom their authority is exercised, to whom

they are amenable for their administration, and by whom they may be expelled for improper conduct. . . .

"From this view of our government, it evidently follows that the executive authority, or the power by which the Bishops are enabled 'to *oversee* the business of the Church,' consists in the power of appointing and controlling the preachers, and especially the Presiding Elders, because they are authorized to exercise all the powers of General Superintendents in the bounds of their respective Districts, except that of ordination; and might, but for their being subject to the control of the Bishops, so counteract and render the General Superintendency useless and nugatory, as effectually 'to do away that Episcopacy and itinerant General Superintendency recognized in our Discipline, and confirmed by the third Article of the Constituution.'

"The Presiding Elders, at present, are under obligation to attend to the instructions of the General Superintendents; but, were the proposed change adopted, they would then be under obligations to follow the instructions of the Annual Conferences; consequently, the Bishops would have no more control over them than the Annual Conferences have under the present regulations; and there would be no propriety in requiring the Bishops through the connection at large (say, six thousand miles) annually, 'to *oversee* the business of the Church;' nor could they justly be responsible for the administration while thus deprived of official control; for, although they might travel through the connection and see abuses, the instructions of different Conferences clashing, their Presiding Elders administering differently, and coming in contact with each other in the execution of discipline, their interference would be unofficial and of no effect. Therefore, the change under consideration would completely destroy the plan of our General Superintendency. . . .

"In point of *law,* it would effectually divest the members of our Church of all constitutional security of their *rights,* and reduce them to the necessity of depending altogether on the wisdom and goodness of the General Conference for those inestimable blessings."

Referring to the constitutional limitations on the General Conference, Bishop McKendree says: "These restrictions being all equally binding, if the delegated General Conference may infringe, or set aside one part, why not another? Yea, why not all? For it requires no more power to change our Articles of Religion, erect new standards of doctrine, and do away the rights of preachers and members, than to do away our General Superintendency; and, if the delegated General Conference is not bound by these restrictions, then their power is undefined and unlimited—they may make what changes they please, and there can be no legal redress—no constitutional guarantee for our rights and privileges. Your Superintendent most cordially disapproves of such a state of things, and will do nothing which he believes will produce it, because he conceives it would go to deprive both preachers nad members of *constitutional security,* and reduce them to the necessity of relying solely on the General Conference for all their rights and privileges. . . .

"Your Superintendent conceives the General Conference to be bound as sacredly to observe all those restrictions (as the laws by which their proceedings are to be tested), as each member of the Church is *bound* to *submit* to the examination of his conduct, according to the legitimate rules enacted by said Conference, because the restrictions

arise from the same *source*, and are supported by the same authority, which gave existence to the delegated General Conference, and validity to their rules and regulations; consequently, they must both stand or fall together. From these remarks, it is very evident that the General Conference have no right to make such innovations in our system of government, regardless of the steps pointed out by the provisionary clause in the sixth Article of our Constitution. . . .

"It is very evident that the above resolutions" (those passed by the General Conference of 1820), "contemplate taking the authority of appointing the Presiding Elders from the Episcopacy, at least so far as to leave nothing but a simple nomination. But if the General Conference possess the right to go thus far, certainly they may, on the same principal, take away the power, or *privilege*, if you please, to nominate likewise, and thereby introduce Presiding Elders, independently of the Bishop's appointment, nomination, or control, and in the issue, entirely destroy our itinerant Episcopal form of government, as has already been shown. Moreover, if the General Conference may deprive the Bishops of one part of their official powers, in defiance of the Constitution, why may they not of another? Why not of all? The authority that can take away one part of the executive from the Bishops, may take away another, until they do away Episcopacy, and destroy the plan of our itinerant General Superintendency entirely; and the same power and authority that can effect this, may effect whatever change they please, both in doctrine and discipline. The subject involves the most serious consequences. It does not turn so much on the *utility* or *inutility* of the change proposed as on the *constitutionality* thereof, because on this point all our rights as preachers and members depend. . . .

"From the preachers *collectively* both the General Conference and General Superintendents derive their powers; and to the Annual Conferences, jointly, is reserved the power of recommending a change in our Constitution."*

Bishop McKendree was willing to have the proposition tested through the constitutional process of amendment, and he so suggested, but he fought the attempt of the General Conference to do the thing on its own authority. On the unconstitutionality of such a procedure by the General Conference, his reasoning is overwhelming.

The Annual Conferences did not adopt the suggestion to put the proposition into the Constitution, but a majority pronounced by vote the action of the General Conference of 1820 to be unconstitutional. Bishop McKendree says that seven of the Annual Conferences "judged the suspended resolutions unconstitutional." There were twelve Annual Conferences at that time, and the other five took no action on the suggestion, to test it through the constitutional process.

Bishop Paine, in his "Life of Bishop McKendree," says: "One good effect, however, resulted from the agitation of this subject. The Church was aroused to the study of our system of government, and the great majority of her most intelligent and sincere friends were brought to see and appreciate its nature and scriptural character. The spirit of innovation culminated, among the traveling preachers, at the General Conference of 1820. Its fate was sealed by the discussions and developments

* Bishop Robert Paine, "Life of Bishop William McKendree," Nashville, pp. 340-354.

which grew out of the action of this body, and its strength was never afterward so great among the traveling ministry; for, although it continued for several years to agitate the Church, yet it was slowly but surely dying. And if the question be asked, To whom is the Church most indebted for her preservation from the evils which this change must have occasioned? we answer, To William McKendree and Joshua Soule."*

In the ensuing General Conference, that of 1824, the matter came up again and the following was presented by David Young, of the Ohio Conference, and G. R. Jones, also of the Ohio Conference:

"WHEREAS, A majority of the Annual Conferences have judged the resolutions making presiding elders elective, and which were passed and then suspended at the last General Conference, unconstitutional; therefore,

"*Resolved,* etc., That the said resolutions are not of authority, and shall not be carried into effect."†

For this sixty-three voted in favor and sixty-one against, and the declaration of unconstitutionality of the elective presiding eldership was sustained. This action not only conceded the unconstitutionality of the election of presiding elders, but also recognized the right of Annual Conferences to review acts of the General Conference, and to reverse them. That is the force of: "WHEREAS, A majority of the Annual Conferences have judged the resolutions making presiding elders elective

* Bishop Robert Paine, "Life of Bishop McKendree," Nashville, Tenn., one vol. ed., pp. 357, 358.

† General Conference Journal, 1824, vol. I, p. 278.

. . . unconstitutional; therefore, . . . the said resolutions are not of authority, and shall not be carried into effect."

This outcome prepared the way for the election of two bishops, one of whom was Joshua Soule, who had been deeply involved in the question of electing presiding elders. The election took place on the twenty-sixth of May, four days after the adoption of the resolution just quoted.

The Journal has this record:

"Ezekiel Cooper and Joshua Wells were appointed to receive and tell the tickets; when, on taking and counting the ballots, it appeared that one hundred and twenty-eight votes were given, of which Joshua Soule had sixty-four; William Beauchamp, sixty-two, Elijah Hedding, sixty-one; John Emory, fifty-nine; Martin Ruter, five; Lewis Myers, two; N. Bangs, one; P. P. Sandford, one, and D. Ostrander, one; and sixty-five being requisite to make a majority of the votes given in, it was declared that no choice was made, and the conference proceeded to ballot again.

"On taking and counting the ballots the second time, it appeared that one hundred and twenty-eight votes were given in, of which Joshua Soule had sixty-five; Elijah Hedding, sixty-four; William Beauchamp, sixty-two; John Emory, fifty-eight; L. Myers, two; Martin Ruter, two; John Hedding, one. Joshua Soule was declared to be duly elected.

"No other choice having been made, the Conference proceeded to ballot the third time for the second general superintendent.

"Previously to the third balloting John Emory asked permission to speak to the Conference, which was granted.

"J. Emory begged the Conference to accept his acknowledgment of the respectful notice taken of his name in the former balloting for an office so high and sacred, but requested that he might not be considered as in nomination in the subsequent balloting.

"The Conference then proceeded to ballot the third time, when on counting the ballots, it appeared that one hundred and twenty-eight votes gave in tickets, of which Elijah Hedding had sixty-six; Wm. Beauchamp, sixty; J. Emory, one, and one was blank. Elijah Hedding was declared to be duly elected."*

This recital we give because of the election of Joshua Soule, who four years before had declined to be consecrated because the General Conference had voted for an elective presiding eldership. On that point the Conference had swung to his view and he now could consistently accept his second election. In the election itself there is much to provoke thought. First, there is the closeness of the vote, and the number who had high votes. It took two ballots to elect Joshua Soule, and there is much interesting history connected with the Delaware born and eloquent William Beauchamp, who on two ballots came within three votes of an election. He died in five months after the General Conference."

In the General Conference of 1828 there are the last notes of the controversy of 1820. "John Early moved, and it was seconded, that the report of the Committee on Revival and Unfinished Business, in relation to the suspended resolutions on the election

* Gen. Conf Journal, 1824, pp. 285, 286.

of presiding elders, be taken up and considered;" and the motion prevailed, whereupon William Winans and William Capers moved "that the subject of the report be disposed of by adopting the following resolution, as a substitute for the resolution which was laid over as unfinished business, viz.:

"'*Resolved,* etc., That the resolutions commonly called the suspended resolutions, rendering the presiding elders elective., etc., and which were referred to this conference by the last General Conference as unfinished business, and reported to us at this conference, be, and the same are hereby resinded and made void.'"*

That completed the vindication of Bishop Soule and the other bishops and put a quietus on the elective presiding eldership, the matter having been decided in every possible constitutional way, and the Church was convinced that it could not be done by the General Conference.

Nevertheless, another attempt was made in this General Conference of 1828 to revive the matter in another form, and on May 16th, D. Ostrander and T. Merritt offered the following resolution:

"*Resolved,* etc., That the first question and answer in Section five of our Form of Discipline, relating to the appointment and duties of presiding elders, be altered so as to read as follows:

"*Question.* How shall the presiding elders be chosen and stationed?

"*Answer.* Each Annual Conference shall elect its own presiding elders for its respective districts, and the presiding elders when so chosen shall be

* Gen. Conf. Journal, 1828, vol. I, p. 232.

an efficient council to assist the Bishops in the appointments of the preachers to their several circuits and stations."

That, however, was immediately laid on the table. The Conference was through with it and would not permit any further discussion. The end had come and the action was decisive.

The discussions and actions on the elective presiding eldership from 1820 to 1828 settled the matter in the judgment of the Church not only by the general conviction produced but also by the legal decisions duly pronounced.

Bishop Soule, the great force in making the Constitution of the Church, led in declaring the election of presiding elders to be unconstitutional. This was confirmed by the formal ruling of the bishops which was duly announced to and in the General Conference of 1820, and this was followed by the appeal to the Annual Conferences by the Senior Bishop which Conferences affirmed the decision of the bishops. Then the General Conference confirmed the decision as to the unconstitutionality of an elective presiding eldership by its various acts, suspending, rescinding and making void the act of 1820, at the same time acknowledging the authority of the Annual Conferences to pass upon an action of the General Conference, when it said: "WHEREAS, A majority of the Annual Conferences have judged the resolutions making presiding elders elective, and which were passed and then suspended at the last General Conference, unconstitutional; therefore, *Resolved,* etc., That the said resolutions are not of authority, and shall not be carried into effect."*

* Gen. Conf. Journal, 1824, pp. 278, 279.

These things legally settled, by the highest authority, the fact that the election of presiding elders, under any form, by election, or by nomination and election, was unconstitutional and could not be done.

That was the last great agitation for an elective presiding eldership, but as time passed and new generations who were not familiar with the history of the question, there have been occasional sporadic agitations to bring about the election of presiding elders, but all have failed.

After a lapse of about fifty years, there was a recrudescence of the subject in the General Conference of 1876, which met in the City of Baltimore, but the General Conference refused to be swayed in favor of the movement. On this particular point, the Report No. IV, of the Committee on Itinerancy said:

"1. The duties of Presiding Elders, as defined in the Discipline in paragraphs 231 to 242, inclusive, invest the office with great dignity and responsibility, making it, in fact, essential to the maintenance of 'the plan of our itinerant general superintendency.' And when these duties are faithfully performed the incumbent must and will receive the respect of all loyal members of the Methodist Episcopal Church.

"2. The change of the Discipline so as to allow of the election of Presiding Elders, for which many have petitioned, we can not recommend."

This was adopted and the matter was settled by the vote of both the laity and the clergy.*

This was the last formidable attempt to make the presiding eldership elective.

* Gen. Conf. Journal, 1876, p. 323.

The opening paragraph of that report, No. IV, gives an idea of the relative demand and opposition on this subject at this time. It says "that memorials and petitions have been received from twenty-seven Annual Conferences and from twelve Lay Electoral Conferences asking for modifications in the Presiding Eldership; also, that eighteen Annual and eight Lay Electoral Conferences have protested against any change; and that thirty-five Annual Conferences have not spoken at all on the subject." So twenty-seven Annual Conferences asked for a change and fifty-three did not, from which it may be inferred a large majority did not want it.

We have used the title presiding elder in all this discussion, for that was the correct title then and from the beginning, and it was not until the General Conference of 1908 that the title was changed to District Superintendent. This would seem to have been done without much deliberation, and the action was received with wide-spread regret, and, while few may have been able to phrase the regret, there was a feeling that the Church had lost something of value, and that somehow, by the change, the denomination had dropped somewhat lower in the ecclesiastical scale.

The new title district superintendent was in every sense of lower grade than the old title presiding elder. Presiding elder was historic and had the dignity of age, having existed about one hundred and twenty years, while district superintendent suggested present-day business and carried the odor of the shop and factory. Presiding elder was clerical and had some of the sanctity of the

Church. The incumbent was an elder or presbyter, a man in clerical orders, and presiding shows that his function was to preside, and that he belonged to the supervisory system of the Church.

The ancient title told its own story, but district superintendent tells no definite tale. It might be almost anything one might imagine. It is not of the Church, churchly. Presiding elder carried its history and its ecclesiastical nature and meaning on its face. District superintendent is indefinite, and practically meaningless. Presiding elder was a time-honored clerical title that had earned perpetuity, but district superintendent has nothing clerical about it. District superintendent is a secular title, used in business or mechanics, and because of its associations, at times seems most ludicrous. It places the Church office on a level with the insurance company, the railroad company, or the district superintendency of the Washing Machine Company, and other secular undertakings.

This change of title has lowered the dignity of the office and has strengthened the tendency toward the secularization of the Church. The change of title was a most unfortunate error, and the Church should go back to the historic and churchly title of presiding elder, and the sooner the better.

One may say that the bishops are called general superintendents. That is to emphasize their general supervision, but the general superintendent is also called a bishop, as the old phrase reads: "A general superintendent and bishop," for a bishop is more than a mere superintendent, and his functions call for many activities beyond the mere matter of superintending. The district superin-

tendency has no redeeming qualification like that. It will help to restore its clerical dignity to restore the title presiding elder.

Beginning with 1792, and down to 1920, there was always a limit on the number of years a presiding elder or district superintendent, could serve in the office on a district. At first it was four years, but, in 1888, it was lengthened to six years, as it was claimed that the time should overlap the pastoral term, which at that General Conference was changed from three to five years.

In the General Conference of 1916 an attempt was made to take off entirely the limit from the district superintendents, but it was promptly and overwhelmingly swept aside in the most summary manner, but four years later, in the General Conference of 1920, it was held that this Conference took off the limit, much to the astonishment of very many of the delegates who were much chagrined, and even questioned the method by which it was done.

In 1916 the proposition was a simple motion which was easily understood, but in 1920 the proposition was a report from the Committee on the Itinerancy, No. 7, and the report consisted of two parts, the first of which referred to the duty of the bishop to name the district superintendent, which contained these words: "He shall choose and appoint the District Superintendent annually." This was the law at that time, and there would be no serious objection to that.

The second part was quite lengthy and contained a proposition to permit the nomination of persons for the office of district superintendent.

There seemed to be some confusion in the minds of delegates as to the consistency of the two parts, the first saying the bishop shall have the appointing power, while the second seemed to give the power of choice to the Annual Conference.

Practically the second part appeared to receive little or no favor from the Conference, and, on motion of the chairman of the committee, that was stricken out and then the Conference found before it the brief first part which had been the law of the Church from the earliest days.

The first part was adopted and then quite a number of the delegates appeared to be surprised that there was nothing left of the time limit on the district superintendent. That probably shows confusion in the minds of the voters, but a careful reading of the first part of the report will show that the committee asked that section 2 of the then paragraph 208 be stricken out and the nine words be substituted.

That the Church was surprised and dissatisfied seems evident from the great commotion that has swept over the Church, and the many demands that have been made for a time limit on the district superintendency.

There is and always has been a demand on the part of both ministry and laity for a limit of years on the presiding eldership or district superintendency. The case is not parallel with the pastorate or the episcopate. It is essentially a governing office. The life episcopate is safe where the bishops are moving here and there over the country and not settled in a section, that is to say where it is a genuine "itinerant general superintendency." Then

knowledge of the whole country is an asset and a requisite, as is a thorough knowledge of the Church's history, law and doctrine, all of which requires time.

It is very different with the presiding elder or district superintendent in his comparatively limited territory which is more or less known by many of the members of the Conference, so that in every average Conference there are numbers quite as competent to perform the work as the elders who are traveling the districts.

So the preachers feel that when a man has been in the district office a reasonable time, he should go back to the pastorate and give his brethren a chance on the district. Hence they say that other preachers who are just as able to do this work should have an opportunity to change their form of activity and serve in the district position.

It is a governing office and the preachers object to being personally governed by the same men for long and repeated years. Large Conferences have voted that a preacher should not be a district superintendent or presiding elder longer than six years out of twelve.

As some phrase it, there should not be in an Annual Conference an unlimited governing class composed of members of the Conference, and they rebel in their hearts, and perhaps, openly against the "continuous administration" of an area bishop who, after men have been on a district six years, continue to reappoint them year after year. The preachers regard it as a wrong, first by keeping themselves or their brother ministers out of the office in the interest of a few whose equals they

are; and, second, by the bishop mechanically intrenching himself and surrounding himself by those who naturally will be personal supporters, so that altogether the "continuous administration" of the same individuals is more securely riveted upon them.

The actions in and connected with the General Conferences of 1820, 1824 and 1828 settled the unconstitutionality of an elective presiding eldership, and denied the right of the General Conference to order or permit the election of presiding elders, or district superintendents in any way, and equally decided that the bishops can not permit the election of these officers in any form.

Besides the unconstitutionality of such an act, the election of district superintendents would be objectionable for various reasons, for example the injection of the political element, which would be a disturbing factor, and the danger of demoralizing influences in the administration, and their effect, or supposed effect, on the vital matter of appointments.

The great lessons from this study, however, related to the delegated General Conference and the bishops. In those early years the General Conference was testing and learning itself as a body acting under the new Constitution, and came to realize that it could not do everything that was possible in the former sovereign General Conference, and it learned that it had limited powers and must always have regard to the terms of the written Constitution, a fact that every new generation may be compelled to recognize.

The most interesting and important lesson from this study, however, probably relates to the bishops of the Church, and these lessons have an illuminating application in this age when so many myths have grown up as to what bishops can not do, the most of which are imaginary myths without foundation in law.

Among the historic incidents found in this study we see the bishops acting individually and altogether, by themselves and in connection with the General Conference in actual session. We see an action of a General Conference challenged, while it was in session, by a bishop and by the bishops.

The bishops are seen as a body, and a body distinct from all other bodies in the Church, and older as a body than the delegated General Conference itself, and a distinct body in fact, and under "the plan" of the episcopacy from the beginning of the Church, under the Constitution of 1808, and under the present Constitution, and, therefore, the most ancient separate and general body in the Methodist Episcopal Church.

The bishops are seen as an organized body with its Senior Bishop, with its inherent rights and with defined functions in "the plan of our itinerant general superintendency," as clearly understood as the powers of the delegated General Conference, and duties that can not be interfered with by that great and august body.

We see this body of bishops in meeting by itself scanning an act of the General Conference and deciding that the action is unconstitutional, and we see one of the bishops go before the General Con-

ference in session, present the decision of the bishops and pronounce the specific act of the Conference to be an unconstitutional act.

This illustrates the rights of the bishops in the General Conference to scrutinize and pronounce upon constitutional matters. If the bishops in 1820 had a right to make such a decision then, and to announce it then to the General Conference, they have a right to do so now, or at any time when the occasion arises.

With such facts, and other facts connected with General Conferences, one can not but wonder at the modern notion that bishops have no rights in the General Conference and must sit in silence no matter what is proposed in that body, or what rights of the Church may be imperiled.

It is plainly the duty of the bishop presiding in the General Conference to protect the Church, and even the Conference from unconstitutional action. Everybody knows that the same bishop presiding in an Annual Conference is bound to do so, and for similar essential reasons there is, or may be, the same duty in the Chair of the General Conference. Indeed, it is more important that the bishop presiding in the General Conference shall protect the Constitution than that he prevent an improper parliamentary motion.

The writer recalls that once when he was presiding in a General Conference a report was presented, which the Chair soon saw infringed on the Constitution, and he privately called the attention of a delegate near him to the difficulty. The delegate saw the situation and raised the question of unconstitutionality and demanded a ruling from

the Chair. Thereupon the Chair stated that the question of constitutionality had been raised and read the portion of the Constitution involved, and instantly the Conference laid the report on the table by a unanimous vote, and all approved.

Our study also gives a concrete illustration of the power and uses of the Annual Conferences in the legislation of the Church. Bishop McKendree demonstrated that the Annual Conferences possessed scrutinizing and supervisory powers over the doings of the delegated General Conference, and could review and revise its acts, and the General Conference recognized their authority. These facts and principles future General Conferences may do well to keep in mind.

THE END

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